China
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Official
No. 9

Legation of the United States in China
On Board the Minnesota, Canton River
February 13th 1858.

Sir,

I have the honour to forward, with this Despatch, a correspondence which has recently passed between the Plenipotentiaries of the Treaty powers in China, to which I invite the early attention of the President. It is comprised in the annexed Inclosures (numbered from Nos 2a to 2w.). It is so full and precise, of so recent date, and occurs so near to the time of the departure of the mail, that it is neither necessary nor practicable for me to add any comprehensive comments on it. I confidently hope that the course which I have adopted and the views which, in my part of this correspondence, I have expressed, in accordance with what I understand to be my instructions, will meet the approval of the President.

He will, I am sure, be gratified

I

to

Hon: Lewis Cass
Secretary of State
Washington

to observe the prompt and judicious assistance I have received from the Flag Officer in command here. The Squadron has been so disposed as to afford me at this moment every facility in my movements and in conducting my correspondence, and, at the same time, to detail a portion of it on active service of observation (Inclosures 4:4d).

My previous despatches have fully apprised you of the progress of the hostilities in the Canton River, of our abstinence from any share in them, and of the course I felt it my duty, with the entire acquiescence of my countrymen here, to pursue with reference to the blockades.

On the 1st February, I received a letter from Sir John Bowring forwarding a Government Gazette Extraordinary (Inclosures No. 1a, No. 1b No. 1c) with the information that, on the 10th, the blockade of the river and City of Canton would be raised. This has been done.

On the morning of the 6th February, I received from their Excellencies the Earl of Elgin and Baron Gros, their letters of the 4th, accompanied by the draughts of papers to be addressed by them to the Imperial Court at Peking, and copies of all the correspondence which, before the attack on Canton, they had with the late Commissioner Yeh. Nearly coincident with them, were their letters of the 6th

(Inclosures

(Inclosures 2nr. 2d,) enclosing the notifications of the temporary retention, in a state of siege, of the City of Canton, the qualified admission of strangers within it, no distinction being made between nations of the West, and the announciation that, except for the necessary defence of Canton, all hostile operations against China are suspended, and that the relations of British and French subjects are reestablished on the basis of Treaties, declared to be in full force — in other words as in a state of peace.

This frank communication of the intentions of the Allies was not confined to this Legation, but was made, at the same time, to His Excellency Count Poutiatine, the Russian Plenipotentiary, then at Macao, (I being accidentally at this anchorage,) and you will, I am sure, be struck, not only with the prompt coincidence of our views as to what we ought to do, but with the very friendly and considerate manner in which Count Poutiatine delayed sending an answer till he should have an opportunity of conferring with me. I was most happy, in return, to have it in my power to facilitate His Excellency's wishes in the transmission of his despatches North (Inclosures 3a 3b 3c)

The correspondence between the Allied Plenipotentiaries and Yeh before the attack on

the

the City is very curious, as illustrative of the relations of parties at a moment when, if ever, the power of the strong might have been abused, and the consciousness of weakness should, (one might suppose,) have prompted concession or submission. I felt no little curiosity to know, with something like precision, what had been demanded before the blow was struck, and what sympathy was really due to the inevitable victims of such a conflict.

It is impossible, I think, to read the letters of the British and French Plenipotentiaries without being impressed by the evidence they exhibit, not only of moderation of demand, but of reluctant resort to arms. That of Lord Elgin refers to but two matters of requisition, the right to enter the City of Canton which, I am very confident, Lord Elgin himself, would desire to guard by some limitations, and pecuniary indemnity for private losses and public expenditure - If yielded, the island of Honan, opposite the City, or a part of it, was to be retained as a material guaranty till a treaty could be negociated, and then positively to be surrendered. If refused, or an answer withheld for more than ten days, military measures were to be resorted to with a reservation of future demands in this event. The French demands have relation exclusively to the case of the Abbè Chapdelaine, a

Honan.

missionary priest who was brutally tortured and murdered two years ago in the province of Kwang Si. The military notices were equally considerate of the duties of humanity.

On the other hand, it is difficult to comprehend the spirit which animated the singular individual who, unfortunately, for many years has ruled with power so nearly absolute the destinies of this portion of the Empire, and to whom, with no other limitation of his will than that of being ordered never to yield to the demands of the Strangers, has been entrusted the administration of foreign affairs. His letters to this Legation in December last, turning coldly, if not insolently, away from our reasonable demands for a revision of the Treaty, and rejecting an honest offer to serve him, his master, and those whom he seems to care little for, his poor countrymen; his replies to the French Minister, equivocating as to an act of blood, about the details of which, there is no doubt, and for which so easy reparation could be made and would have been accepted; and finally, his indecorous answers, (for clumsy satire or satire of any kind in such matters is very repulsive,) to Lord Elgin's respectful communication, in which he seems to have done his best to incense rather than conciliate; the whole indeed forms an obscure compound of cunning and insolence and folly which sets all

analysis

analysis of character and conduct at defiance. It should be borne in mind too that this man has not been, in a strict sense, a self willed controller of affairs, but a trusted representative of a superior power, and yet so situated, and at least so far enlightened, that he could not but measure the certainty of a disastrous and bloody result, with loss of power, and peculiar fame, and probably life or, as has been the case, liberty, in the event of conflict. There is no solution of this puzzle in a want of sagacity or of accurate knowledge. His subtle intelligence is manifest enough, and his means of information, as to what was doing near him and at a distance, very great. His power over the people was enormous, not only because of these resources, but because it was well known he was the favoured servant of the Emperor. If, by chance, any more tractable or gentle depositary of power was brought in contact with strangers, as was the case in some of the other provinces, he was either superseded or the trust in him suspended and all conferred on Yeh. It remains to be seen, (I may incidentally observe,) whether his fall will produce any favourable result, or whether others, like him and his predecessor Sen, may not take his place.

As to the manner in which hostilities have been conducted, I am impelled by the strongest

Sense

sense of justice to say that I believe every thing was done to confine the inevitable suffering within the narrowest limits. Sad as is the appearance of Canton, once a great mart of commerce, (and I have just returned from a visit thither and speak from personal observation,) with its deserted and ruined suburbs and houses, it is well understood that the loss of life among the besieged was relatively small, the estimates varying from five hundred to three thousand, and that the discipline of the assailants, tho' the town was taken by actual assault, was very strict. That portion of the ruin which strikes the eye as most complete is the site of the foreign factories. They seem to have been rooted out, not a vestige remaining but a portion of the flight of stone steps at the landing from which the foreign merchants embarked in January of last year. This was the thorough devastation of the Chinese.

Since the capture of the city, the effort of the Plenipotentiaries, and especially of Lord Elgin, on whom this duty, I infer, specially devolves, has been to establish a provisional Chinese government through the agency of Officials, who were —— apparently willing to assume the trust. The late Lieutenant Governor Pihkwei is in nominal charge of Canton - and though, of course in dealing with the very untrustworthy class of Mandarins it would

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be unsafe to have too much confidence, it is believed by those who have the best means of information that the experiment will succeed. No one can be sure of this till the pleasure of the Emperor is known, which will be obeyed as heretofore by all officials and others, with the strange sort of superstitious loyalty which characterises this nation.

In one respect, the belligerents have shown peculiar consideration for the necessities of the Chinese authorities and the interests of commerce. Lord Elgin assures me that, under no circumstances, will he consent that a dollar of the revenue from imposts or any other source shall be collected by foreign authority or diverted from its proper object; and a Chinese custom house under Pihkwei's authority has been or is about to be established at Whampoa. No one pretends to conjecture how far trade will revive. For its suspension, with the losses it entails, and the ruin and desolation of Canton, the heaviest responsibility rests on the Imperial authorities. I ought to state here that, since his capture, Yeh has been kept a prisoner on board a ship of war in the river and has, to day, as I have been informed, been sent, for temporary safe keeping, to Calcutta. He exhibits no sensibility to his fallen condition and expresses no regrets.

Such is the clear judgment at which I have come with no sympathy with the belligerents

in

in the origin of the war.

With these views, enlightened not a little by the revelations of Yeh's correspondence, I could not hesitate as to the course to be pursued on receiving the communication of the English and French Plenipotentiaries. The peaceful policy of my government and its determination not to be involved in the strifes of others had been vindicated not merely by my resolute stand against all influences here - the urgency of my own countrymen, and the natural solicitude of others more directly interested, - but in my correspondence with the Representative of one of the belligerent powers - The exaggerated expectations of a year ago had subsided into a quiet conviction that, after all, we understood our own interests and duties best. But beyond this, I was not authorised to hold back. Your instructions expressly directed me to cooperate with the —— Representatives of the Treaty powers in all peaceful measures of redress. My despatches, written before I knew that such cooperation was to be solicited, —— show that my mind had come to the conclusion that for the redress of our own wrongs there was a necessity for vigorous action.

The Allied Plenipotentiaries made their propositions to me in perfect good faith. All that they asked was that I should, in the name of my own government, address a respectful and

urgent

urgent letter to the Imperial Court of Peking, they having done so, and that the communications should be forwarded at the same moment. They furnished me with copies of their intended letters to the Prime Minister, or Supreme Council of State at Peking, for my perusal, and I, as soon as it was completed, sent mine to them. The Russian Plenipotentiary pursued the same course, and thus a friendly cooperation of the most complete and inoffensive kind has at last ocurred. I heartily rejoice at it. I solicit the attention of the President to the four despatches sent to Peking (Inclosures 2[b], 2[c], 2[v], 3[d]), and rely confidently on his approval of the course I have pursued, and the views I have endeavoured to express.

I have reason to believe that the prompt manner in which we have met and agreed to this proposal of friendly cooperation has given great satisfaction to those who made it, - and my personal intercourse with Lord Elgin and Baron Gros, since my answer was given, satisfies me entirely of the conciliatory spirit in which they propose to deal with this China question - Lord Elgin seems especially anxious to avoid further conflict.

I am confident too that it forms no part of his policy to take or keep possession of Chinese territory. He may fail in his experiment of permitting the Cantonese to govern themselves but I am sure he

means

means to persevere as long as there is the least chance of success. He has, I believe, an irksome task in protecting the Chinese against themselves, and maintaining his own opinions against the impatience of military men, and amidst the cavils and criticism of the querulous merchants around him.

I may here, confidentially, mention that in conversation with me yesterday, his Lordship said, by way of explanation, as it seemed to me, of the tone he had adopted in our brief correspondence in December, that he had not then received the copy of my instructions forwarded by Lord Napier. They had, by some Post office mistake, been sent back to England from Singapore, when Lord Elgin went to India. I could not but understand his mentioning this as explanatory and, perhaps, apologetic. The implication certainly was that, had he known the character of my instructions, he would have abstained from the urgency which he had used. I refer to this as a matter of fact, without meaning to attach much consequence to it.

The united letters from all the Plenipotentiaries have been despatched. Count Poutiatine's and mine were placed in charge of Captain Nicholson of the Mississippi, which sailed this afternoon for Shanghai. The others go by special messengers in the Peninsular and Oriental

Mail

Mail Boat to morrow. At Shanghai they will be delivered by the Consuls to the Taoutai, and by him are to be forwarded to the Governa General of the Two Kiang at Soochow. It may be that they will be directly presented to the Governor General. Should there be no obstacle interposed by the local authorities, these despatches may reach Pekin in a month from this date, and an answer be at Shanghai in a fortnight later. I shall proceed thither in this Ship about the middle of March.

This, will be made the most imposing appeal that has ever been addressed by the Western powers to the Sense of justice and policy of the Imperial Court. I feel no little pride in uniting in it, as the Representative of the United States, for it is entirely consistent with the peaceful attitude we have tried to occupy in the East, and equally so with the decided action in the redress of our own wrongs which, in my recent despatches, I have urged. I sincerely hope the appeal may be met in a proper spirit, for I do not permit myself to doubt that, if a Plenipotentiary duly accredited shall come to Shanghai with even a moderate disposition to do right, satisfactory Treaties will be negociated and, so far as any thing can be settled between parties of so contradictory modes of thought and action, matters be arranged on a safe and perhaps permanent basis.

But I should do great injustice

to

to myself, to the character of my country, and to the great interests of our people in China, if I did not call your attention and that of the President to the possible alternative of a persistent and contemptuous refusal, to entertain any friendly proposition, to afford redress for injuries, or to revise the Treaty, or what is equivalent to these, vexatious delay or evasion. What then will be the duty of the Representative of the United States is a question I beg leave most respectfully to put. Until I have distinct instructions I am, as to the future, within strict limits which I certainly shall not go beyond. I consider it within those instructions to proceed with the allied fleets, ~~as circumstances~~, to the North, and try what effect the appearance of force near the Seat of the Imperial government may produce. But here, unless further authorised, my means of efficiency end. I hope the Government will permit me without entanglement with others vigorously to assert our own rights. I am happy to observe that, with reference to a remote and semicivilised power in the Western hemisphere, the President, in his Message, has asked from Congress a power to resort to some measures of coercion for the redress of wrongs; and, with regard to this Empire, he uses the emphatic and most appropriate language "that China cannot long be permitted to withhold the just concessions which the nations of the world

have

have a right to expect." More than this, I need not ask. But the power to exercise that amount of coercion, far short of war, which is the only intelligible appeal to such a people as this, I do most earnestly ask to be invested with.

I beg to recall your attention to my previous despatches, prepared before I had any communication with the other Plenipotentiaries, and sent by this mail. There is no opinion there expressed that I desire to modify.

I regret that the early departure of the mail prevents me from sending translations of all the documents annexed to this despatch.

I have the honour to be

Sir

Your most obedient Servant

William. B. Reed.

Index to Dispatch No. 9.

February 13th 1858.

(Relating to Letters to Peking)

From	To	Subject Matter	Date
Bowring	W. B. Reed	Inclosing Govt Gazette announcing	29 Jan 1858
		Raising of blockade of port of Canton	28 " "
Govt	Gazette	Regulations respecting entering city of Canton	6 Feb "
d Elgin	W B Reed	Sending draft of his letter to Peking	4 " "
Do	Yuching	Letter showing the grievances & demands of English	Feb. 1858
d Elgin	Yeh	Recapitulating the wrongs English have rec'd	12 Dec 1857
eh	Lord Elgin	Defends his conduct and wishes trade resumed	14 " "
d Elgin	Yeh	Declares the reply unsatisfactory - hostilities resumed	24 " "
eh	Lord Elgin	Reasserts that no wrongs have been done	25 " "
on Gros	W. B. Reed	Sends draft of letter to Peking & correspondence held with Yeh. (Translation appended)	4 Feb 1858
ourboulon	Yeh	Announcing Baron Gros arrival	10 Dec 1857
eh	A. Bourboulon	Details steps taken respecting Abbé Chapdelaine	12 " "
on Gros	Yeh	Recapitulates grievances against China &c.	12 " "
Yeh	Baron Gros	Declares that Chapdelaine was not killed	14 " "
Do	Do	Blames him for not believing him.	25 " "
on Gros	Yeh	Closes further correspondence as useless	
llies	To Canton officials	Conditions of their sparing the city	
Do	To Cantonese citizens	Declaring why the city was taken, and that they had installed Pihkwei as governor	10 Jan 1858
on Gros	Yuching	Letter stating grievances & wrongs of the French (Translation appended)	Feb. 1858
d Elgin	W. B. Reed	Inclosing copy of notification of military occupation of Canton by Allies	6 Feb. 1858

Exhibit	From	To	Subject Matter	
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2t	WB Reed	Lord Elgin	Willingly coöperates in the appeal to Peking	6
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2v	Do	Supreme Council of State	Setting forth the grievances & demands of U. S. (with note to Ho & Chau of Kiangnan)	10
3a	Ct. Poutiatine	WB Reed	Inclines to join in the appeal to Peking	6
3b	WB Reed	Ct. Poutiatine	Proposes sending "Mississippi" with letter	8
3c	Ct. Poutiatine	WB Reed	Agrees to the plan inclosing copy of his	9
3d	Do	Supreme Council of State	Letter stating the grievances & claims of Russia	
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4b	F. W. A. Bruce	J. W. Williams	Lord Elgin intends sending up W. Oliphant	9
4c	WB Reed	J. Tattnall	Requests him to charter a small steamer Wishes squadron to be at Shanghai last of March	4 6
4d	J. Tattnall	WB Reed	Squadron will rendezvous at Shanghai, has chartered the "Antelope"	7
4e	WB Reed	W. C. Nicholson	Desires him to take letter to Shanghai	10
4f	Do	A. L. Freeman	Wishes his aid in sending in letter to the Taotai, after conferring with Mr. Oliphant	10

Dispatch N: 9. Enc 1a
13 Feb. 1858

No. 21. Superintendency of Trade.
Hongkong. 29. January 1858.

Sir,

I have the honor to forward to your Excellency copy of the HongKong Gazette Extraordinary announcing that the blockade of the City and River of Canton will be raised on the 10th proximo.

I have the honor to be,
Sir,
Your Excellency's
Most Obedient
Humble Servant
John Bowring.

His Excellency
William B. Reed
United States'
Minister Plenipotentiary
Macao.

R. Ser. 29. Dispatch N: 9. Enc 1
Macao 19 Feb. 1858

THE

Hongkong Government

GAZETTE EXTRAORDINARY.

EW SERIES. VICTORIA, THURSDAY, 28TH JANUARY, 1858. VOL. III. No. 135.

GOVERNMENT NOTIFICATION.

The Contract for publishing this *Gazette*, entered into on the 24th September, 1853, was terminated on the 30th ultimo; and notice is hereby ven, that a NEW SERIES of this *Gazette* will be published hereafter, to commence from the 7th instant, under a New Contract, and that

"*THE HONGKONG GOVERNMENT GAZETTE*"

, as before, be the only Official Organ for PROCLAMATIONS, NOTIFICATIONS, and PUBLIC PAPERS, of this Government.

By Order, W. T. MERCER, *Colonial Secretary.*

Colonial Secretary's Office, Victoria, Hongkong, 2d July, 1855.

1.

GOVERNMENT NOTIFICATION.

Diplomatic Department.

His Excellency Her Majesty's Plenipotentiary and Chief Superintendent of Trade, &c., &c., has received a patch from His Excellency The Naval Commander-in-Chief, an Extract of which, with its accompanying osures, are hereby published for general information.

By Order,

GEO. S. MORRISON.

Superintendency of Trade, Victoria, Hongkong, 28th January, 1858.

Extract of Despatch from His Excellency The Naval Commander-in-Chief, dated at Hongkong, 28th January, 1858, to the address of His Excellency Her Majesty's Plenipotentiary, &c., &c,

I have the honour to transmit to Your Excellency, in original, a Notification from the French Admiral and myself, that the Blockade e Port and River of Canton will be raised on the 10th February next. I also enclose a second Notification, that the City and Suburbs be open to Foreigners, under certain conditions, which will be hereafter promulgated, and that they will continue under Martial during their occupation by the Allied Forces."

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s, les Soussignés, Contre Amiral C. Rigault de Genouilly, ndant en Chef les Forces Navales de Sa Majesté L'Empereur nçais dans l'Inde et en Chine; et Contre Amiral Sir Michael r, K.C.B., Commandant en Chef les Forces Navales de Sa Britannique dans l'Inde et en Chine, déclarons que le du Port et de la Rivière de Canton, établi par nos tions respectifs du 10 Decembre et 3 Aout 1857, sera ercredi le 10 Fevrier, 1858.

it à Canton, ce 25 Janvier, 1858.

C. RIGAULT DE GENOUILLY.
M. SEYMOUR.

---

oussignés Commandants en Chef des Forces Alliées de la et de la Grande Bretagne declarent, que la Cité et les gs de Canton seront ouverts aux Etrangers a'compter du ier, 1858, sous certains Reglements qui seront prochaine- omulgués.

ommandants en Chef déclarent en même temps que la Cité aubourgs de Canton demeurent et demeureront soumis à Siège pendant toute la durée de leur occupation Militaire orces Alliées.

M. SEYMOUR,
Contre Amiral Commandant en Chef les Forces Navales de Sa Majesté Britannique dans l'Inde et en Chine.

C. RIGAULT DE GENOUILLY,
Contre Amiral, Commandant en Chef les Forces Navales de Sa Majesté l'Empereur des Français dans l'Inde et en Chine.

C. T. VAN STRAUBENZEE,
Major Général, Commandant les Forces Militaires de Sa Majesté Britannique en Chine.

We, the undersigned, Rear-Admiral Sir Michael Seymour, K.C.B., Commander in Chief of Her Britannic Majesty's Naval Forces in India and China; and Rear-Admiral C. Rigault de Genouilly, Commander in Chief of the Naval Forces of His Majesty the Emperor of the French in India and China, hereby declare that the Blockade of the Port and River of Canton, established by our respective Declarations of the 3d of August, and 10th of December, 1857, will be raised on Wednesday, the 10th of February, 1858.

Dated at Canton this 25th day of January, 1858.

M. SEYMOUR.
C. RIGAULT DE GENOUILLY.

The undersigned, Commanders in Chief of the Allied Forces of Great Britain and France, hereby declare, that the City and Suburbs of Canton will be open to Foreigners from and after the 10th February, 1858, under Regulations to be hereafter promulgated.

The Commanders in Chief declare, at the same time, that the City and Suburbs continue under Martial Law, and will so continue during their Military occupation by the Allied Forces.

M. SEYMOUR,
Rear-Admiral and Commander in Chief of Her Britannic Majesty's Naval Forces in India and China.

C. RIGAULT DE GENOUILLY,
Rear-Admiral and Commander in Chief of the Naval Forces of His Majesty the Emperor of the French in India and China.

C. T. VAN STRAUBENZEE,
Major-General, Commanding the Military Forces.

d at the Office of the *China Mail*, Hongkong.—PRICE, $12 *per Annum.* Single Copies, *Thirty-six Cents.*
OF ADVERTISEMENTS,—Five Lines and under, *One Dollar*; each Additional Line, *Twenty Cents*—*One-half* of these charges for each Repetition.

Dispatch No. 9. Encl
13 Feb. 1858

THE

Hongkong Government

GAZETTE.

NEW SERIES. VICTORIA, SATURDAY, 6TH FEBRUARY, 1858. VOL. III. No. 137.

GOVERNMENT NOTIFICATION.

The Contract for publishing this *Gazette*, entered into on the 24th September, 1853, was terminated on the 30th ultimo; and notice is hereby given, that a NEW SERIES of this *Gazette* will be published hereafter, to commence from the 7th instant, under a New Contract, and that

"*THE HONGKONG GOVERNMENT GAZETTE*"

will, as before, be the only Official Organ for PROCLAMATIONS, NOTIFICATIONS, and PUBLIC PAPERS, of this Government.

By Order,

W. T. MERCER, *Colonial Secretary.*

Colonial Secretary's Office, Victoria, Hongkong, 2d July, 1855.

No. 14.

GOVERNMENT NOTIFICATION.

The following Return of Notes in Circulation and Specie in Reserve at the Bank of the Oriental Bank Corporation in Hongkong, is published for general information.

By Order,

W. T. BRIDGES,
Acting Colonial Secretary.

Colonial Secretary's Office, Victoria, Hongkong, 6th February, 1858.

Account of the average Amount of Notes in Circulation at the Bank of the Oriental Bank Corporation in Hongkong, for the Month ending 30th January, 1858, rendered in accordance with the Terms of Her Majesty's Royal Charter of Incorporation.

NOTES ISSUED,.....$336,770.
SPECIE IN RESERVE, „ 200,000.

P. CAMPBELL,
Manager.

Oriental Bank Corporation, Hongkong, 4th February, 1858.

I inspected this day the Books and Treasure Vault of the Oriental Bank Corporation, and hereby certify that the Amount of Specie shown is in accordance with the Terms of the Royal Charter.

FRED. FORTH,
Colonial Treasurer.

J. A. CARVALHO,
Accountant.

Victoria, Hongkong, 6th February, 1858.

No. 2.

GOVERNMENT NOTIFICATION.

Diplomatic Department.

It is hereby notified by direction of His Excellency Her Majesty's Plenipotentiary and Chief Superintendent of Trade, &c., &c., that Her Majesty's Principal Secretary of State for Foreign Affairs has been pleased to appoint WILLIAM RAYMOND GINGELL, Esquire, to be Her Majesty's Vice-Consul at the Port of Amoy, (vice JOHN BACKHOUSE, Esquire, retired,) and that Officer will conduct the business of the Consulate during the absence of the Consul, or until further Notice.

By Order,

GEO. S. MORRISON.

Superintendency of Trade, Victoria, Hongkong, 4th February, 1858.

No. 3.

GOVERNMENT NOTIFICATION.

Diplomatic Department.

His Excellency SIR JOHN BOWRING, Her Majesty's Plenipotentiary, Chief Superintendent of Trade, &c, &c., has received from His Excellency SIR MICHAEL SEYMOUR, K.C.B., Rear-Admiral and Commander-in-chief of Her Majesty's Naval Forces, the Regulations which have been adopted by the Naval and Military authorities of the Allied Powers in connection with the Removal of the Blockade and the Entrance into the City and Suburbs of Canton, which Regulations are hereby published for general information.

By Order,

GEO. S. MORRISON.

Superintendency of Trade, Victoria, Hongkong, 6th February, 1858.

As the Blockade of the River and Port of Canton is to be raised on the 10th instant, the following Regulations are promulgated for general information and guidance during the Military occupation of the City and Suburbs by the Allied Forces.

ARTICLE I.

The City and Suburbs being under Martial Law, no Foreigner whatsoever is permitted to enter them without a Passport signed by the Allied Commanders-in-Chief.

ARTICLE II.

A mixed Commission has been nominated by the Allied Commanders-in-Chief to preserve good order and to enquire into all infractions of these Regulations or of Martial Law, with power to inflict Fine or Imprisonment, and in grave cases to hand over offenders to the Commanders-in-Chief.

ARTICLE III.

Every Foreigner wishing to enter the City or Suburbs must apply in writing to the Commissioners. The Commissioners will submit the application to the Allied Commanders-in-Chief, who, if they see no objection, will grant the applicant a Pass, revocable at pleasure, which must be viséd by the Commissioners every 14 days.

ARTICLE IV.

A Police Force, English and French, is charged with the surveillance of the City and Suburbs. The Police are directed to require the production of Passes, and any person refusing to comply with their demand, being without a Pass, or being guilty of any offence against good order, will be taken before the Commissioners.

ARTICLE V.

Officers of the Allied Army and Navy and Foreign Officers, in uniform, do not require Passes. Seamen and Marines are not to be allowed to land except on duty.

ARTICLE VI.

The Gates of the City will be open from Sunrise to Sunset, and no Foreigners will be permitted to be in the streets of the City or Suburbs after the firing of the Sunset Gun.

ARTICLE VII.

No Foreigner is permitted to enter the Official Buildings without special permission from the Commissioners.

ARTICLE VIII.

Merchant Vessels are not to anchor between the Ships-of-War and City Walls, or except where directed by the Harbour-master.

ARTICLE IX.

The introduction of Arms, or Munitions of War, is strictly prohibited.

ARTICLE X.

In all cases of Alarm, Red Flags will be hoisted on the heights of Magazine Hill, and at the Commissioner's Yamun, followed by two Guns, and the beating of the Retreat in all quarters. All persons should then immediately provide for their safety, either by leaving the City, repairing to the Allied Lines or to the Police Stations.

Canton, 4th February, 1858.

Not transferable.

PASS FOR THE CITY AND SUBURBS OF CANTON AND ALLIED LINES.

NAME.	NATION.	PROFESSION.	RESIDENCE.

Signature of Bearer

M. SEYMOUR,
Rear-Admiral and Commander-in-Chief of Her Britannic Majesty's Naval Forces

C. RIGAULT DE GENOUILLY,
Rear-Admiral and Commander-in-Chief of the Naval Forces of His Majesty the Emperor of the French.

C. T. VAN STRAUBENZEE,
Major-General, Commanding the British Military Forces.

Canton, the of 1858.

True Copy,

H. F. HANCE.

Le Blocus de la Rivière et du Port de Canton étant levé à compter du 10 Fevrier prochain, sont publiés pour l'information des Intéressés et leur servir de guide les Règlements suivants qui seront en vigueur pendant la durée de l'occupation Militaire de Canton et de ses faubourgs par les Forces Alliées de la France et de la Grande Bretagne.

ARTICLE I.

La ville de Canton et ses faubourgs étant maintenus en Etat de Siège, nul Etranger, quelqu'il soit, ne peut y entrer, s'il n'est muni d'un passeport signé par les Commandants en Chef des Forces Alliées.

ARTICLE II.

Une Commission mixte nommée par les Commandants en Chef est chargée de maintenir le bon ordre, de connaître des infractions aux présents Règlements et aux lois de l'Etat de Siège. Elle a pouvoir de prononcer des amendes, des emprisonnements, et mission dans les cas graves de remettre les Prévenus à la disposition des Commandants en Chef.

ARTICLE III.

Tout Etranger qui désire entrer à Canton ou dans les Faubourgs doit en adresser la demande par écrit à la Commission précitée. Les Commissaires soumettront cette demande aux Commandants en Chef qui, s'ils n'y voient pas d'objection, accorderont à l'impétrant le Passeport demandé susceptible d'être retiré, et qui, dans tous les cas doit être visé par les Commissaires tous les quatorze Jours.

ARTICLE IV.

Un corps de Police Français et Anglais est chargé de la surveillance de la Ville et des Faubourgs. Les hommes qui le composent ont l'ordre d'exiger la production des Passeports. Toute personne refusant d obtempérer à leur demande, trouvée sans Passeport, ou coupable de quelqu' infraction au bon ordre sera conduite devant les Commissaires.

ARTICLE V.

Les Officiers des Armées et Marines Alliées et les Officiers Etrangers revêtus de leur uniforme sont dispensés de l'obligation du Passeport. Les Marins et les Soldats de Marine ne peuvent descendre à terre, si ce n'est pour service commandé.

ARTICLE VI.

Les Portes de la Ville seront ouvertes depuis le lever du Soleil jusqu à son coucher, et après le coup de Canon tiré au coucher du Soleil, aucun Etranger ne pourra circuler dans les Rues de la Ville ou des Faubourgs.

ARTICLE VII.

Aucun Etranger ne peut pénétrer dans les Etablissements occupés par les Fonctionnaires publics, s il n'est muni d'une Permission Spéciale délivrée par les Commissaires.

ARTICLE VIII.

Les Bâtiments de Commerce ne peuvent mouiller entre les Navires de guerre et les Murailles de la Ville, ni ailleurs qu'aux places déterminées par le Capitaine du Port.

ARTICLE IX.

L'introduction des Armes et des Munitions de Guerre est absolument interdite.

ARTICLE X.

Dans tous les cas d'alarme, des Pavillons Rouges seront hissés sur les Hauteurs de Magazine Hill, au Yamoun occupé par les Commissaires. Ces Pavillons appuyés de deux coups de Canon et de la Retraite battue dans tous les Quartiers indiqueront à toute personne se trouvant en Ville, qu' elle doit la quitter dans l'intérêt de sa sûreté, ou y pourvoir en se rendant dans les Lignes Alliées, ou dans l' une des Stations de Police.

à Canton 4 Fevrier, 1858.

Ce Passeport est Personnel.

PASSEPORT POUR LA VILLE, LES FAUBOURGS DE CANTON ET LES LIGNES ALLIEES.

NOM ET PRENOMS	NATION.	PROFESSION.	RESIDENCE.

Signature du Porteur

M. SEYMOUR,
Contre Amiral Commandant en Chef les Forces Navales de Sa Majesté Britannique.

C. RIGAULT DE GENOUILLY,
Contre Amiral, Commandant en Chef les Forces Navales de Sa Majesté l'Empereur des Français.

C. T. VAN STRAUBENZEE,
Major Général, Commandant les Forces Militaires de Sa Majesté Britannique.

LOST,

ROM the ATTORNEY GENERAL'S CHAMBERS, VOLUME IV. of the "*LAW MAGAZINE*;" ment Bound.
ourt House, 6th February, 1858.

NOTICE.

Copy of the JURY LIST for 1858, is posted up at the SUPREME COURT HOUSE for inction. Notice of any *Inaccuracies, Omissions,* must be given *in Writing* to the Registrar, *on before the Twenty-second day of February instant,* ordance with the provisions of Section 3 of dinance No. 4 of 1851.

NORMAN RAMSAY MASSON,
Acting Registrar.

REGULATIONS

FOR THE TRANSMISSION OF LETTERS, &c.,
To and from Hongkong.

m CANTON.—*MONDAYS, WEDNESDAYS, and FRIDAYS.*
m HONGKONG.—*TUESDAYS, THURSDAYS, and SATURDAYS.*

IME *of departure from both places,*—7 A.M., which be notified by a BLACK BALL being dropped the Mast-head of the "*Calcutta*" at HONGNG, and the Brig "*Bittern*" at the Landing-place, NTON. The Boat conveying the Letters will a BLACK BALL at her Mainmast head, and the BLUE PETER at the Fore. These Boats are er to be stopped by Ships as she passes them, Ball at the Mast-head notifying that she has Letters.

The 40-Horse-Power Boats appointed for the veyance of Sick to and from the "*Macao*" the Macao Fort Barrier, are to maintain the respondence in those Branches.

DESPATCHES AND LETTERS.

The Boats leaving each place at 7 A.M., should ve in 12 hours at their destination, and by an y transmission of Letters, those on important tters could be answered by the Boat leaving on following morning. This must be arrived at by authorized Official (Non-commissioned Officer) ting on board the "*Calcutta*" and "*Bittern*" to eive Letters for the *Military Departments.*

Letters *unconnected with the Service* will be sent m the "*Calcutta*" to the Post-Office, at 6.30 A.M., d the same description of Letters received from ngkong will be sent to the Guard-house at the nding-place, Canton, where a Box will be fitted their reception.

Boxes also will be placed at this Guard-house, and Guard-house at the Dock-yard Hongkong, for receipt of Letters; and at 6.30 A.M. on the rnings of departures, the Second-master of the nboat will clear these Boxes, taking the contents in a Black painted Bag.

PASSENGERS.

An Official requisition, signed by the proper Military Authorities, will be all that is requisite, without the delay of referring to the Senior Naval Officer, who may be at a distance, or otherwise engaged; but a List of Passengers, and Number and description of Letter Bags brought, is to be given to the "*Calcutta*" and "*Bittern*" on arrival.

Persons *not on duty* are only to be carried with the permission of the Senior Naval Officer.

Previous arrangements are to be made, that all Passengers take on board with them sufficient cooked Provisions for the Passage, as the accommodation for cooking, &c., is very limited. This refers to Officers as well as others, who, by taking a Basket well provided, will place themselves at their ease, and prevent the Gunboat Officers being sometimes heavily taxed and out of pocket.

SIGNALS.

A Ball at the Fore Top-mast heads of "*Bittern*" and "*Calcutta*," will be hoisted at daylight on the days on which the Boats leave, and dropped as a Signal for starting.

The Gunboat will hoist the BLUE PETER at the Fore at daylight, and a BLACK BALL at the Main; the latter she is to keep up during the Passage. Should an *Extra* Gunboat be leaving Canton at any time, the "*Bittern*" will hoist a BALL at each Mast-head.

Should an *Extra* Gunboat arrive from Hongkong, the "*Bittern*" will hoist a TRIANGULAR BLUE FLAG, keeping it up an hour, to enable persons stationed along the Wall to be aware of it.

M. SEYMOUR,
Rear-Admiral and Commander-in-Chief.

"*Coromandel*," at Canton,
18th January, 1858.

NOTICE.

THE Partnership heretofore subsisting between WILLIAM GASKELL and JAMES BROWN, as *Attorneys, Solicitors, Notaries Public, and Proctors*, at Hongkong, was dissolved, by the decease of the said JAMES BROWN, *on the 28th day of April*, 1857.

WILLIAM GASKELL.

Dated this 29th day of April 1857.

NOTICE.

THE Business hitherto carried on at this Port in my own Name, as *Ship Chandler & General Store-keeper*, will, *from the 1st day of January*, 1858, be conducted under the Style of BELLAMY & Co., for which Mr JOHN BELLAMY, JUN., is authorized to sign per procuration.

JOHN BELLAMY.

Amoy, 31st December, 1857.

NOTICE.

THE Business hitherto carried on by the undersigned, will in future be conducted under the Style of STEPHENSON & Co.

JAS. STEPHENSON.

Hongkong, 1st January, 1858.

MR M. C. Do ROZARIO, is authorized to sign our Firm.

STEPHENSON & Co.

Hongkong, 1st January, 1858.

NOTICE.

THE Interest and Responsibility of MR JAMES SMITH in our Firm, ceased by his death on *the 2d of July.*

SMITH & BRIMELOW.

Hongkong, 22d July, 1857.

NOTICE.

MR THOMAS DEAS BOYD was admitted a Partner in our Firm, *on 1st ultimo.*

MR FRANCIS DARBY SYME, on same date, retired from our Firm.

F. D. SYME & Co.

Amoy, 26th August, 1857.

NOTICE.

MR ROBERT MUIRHEAD REDDIE, is authorized to sign the name of our Firm in China.

HOLLIDAY, WISE & Co.

Hongkong, 1st December, 1857.

NOTICE.

WE have established a Branch of our House, as *General Merchants & Commission Agents*, at BANGKOK, SIAM, *from the 25th August last.*

REMI, SCHMIDT & Co.

Shanghae, 1st October, 1857.

In the Estate of HUGH WELSH, *late of the Firm of* CUBBINS & WELSH, *of Pagoda Anchorage, Foochow, deceased.*

NOTICE.—All Persons having Claims on the said Estate, will please to send them in to the undersigned; and all Persons indebted to the said Estate, are requested to make payment to the undersigned as Administrator, *on or before the 1st March*, 1858.

FRED. HOWE HALE,
H. B. M.'s Officiating Consul.

British Consulate, Foochow,
9th November, 1857

In the Estate of the late HUGH CROSS GIBSON, *deceased.*

NOTICE.—All Persons having Claims against the said Estate, will please to send them in for liquidation; and all Persons indebted to the said Estate, are requested to make immediate payment to

J. GIBSON.

N.B.—I have empowered T. SUTHERLAND, Esquire, to receive, in my absence, all Debts due to the above Estate.

J. GIBSON.

Hongkong, 26th November, 1857.

Printed at the Office of the *China Mail*, Hongkong.—PRICE, $12 *per Annum.* Single Copies, *Thirty-six Cents.*

TERMS OF ADVERTISEMENTS,—Five Lines and under, *One Dollar*; each Additional Line, *Twenty Cents—One-half* of these charges for each Repetition.

Despatch N°. 9. Ex 2d
13 Feb. 1858

Confidential

H. M. S. "Furious"

Canton. February 4th. 1858

Sir,

I have the honour to enclose herewith, confidentially, for Your Excellency's information, the copy of a note which I am about to send forthwith to the Prime Minister, or Senior Secretary of State of the Emperor of China. The note itself will explain to your Excellency the course which I intend to follow in pursuance of the Policy which Her Majesty's Government has directed me to carry out in China, and its Enclosures will put Your Excellency in possession of the negotiations between the late Imperial Commissioner Yeh and myself, which preceded the capture of Canton by the Allied English and French Forces.

Enclosures

In making this frank and unreserved communication to Your Excellency, I am acting in the spirit of the Instructions which I have received from my Government, and I have only to add that, in my opinion, the weight

His Excellency
The Hon. W. Reed
&c &c &c

weight of the Representations of the Plenipotentiaries of the Allied Powers, and therefore the probability that the Government of China may be induced without further coercive pressure, to consent to such arrangements as may obviate future misunderstanding and tend to develop Commercial Relations between China and other nations, will be increased if Your Excellency shall see fit to support the attempt about to be made by His Excellency Baron Gros and myself to effect a settlement of these matters by negotiation.

I have the honour to be

Sir,

Your Excellency's

Most Obedient

Humble Servant

Elgin & Kincardine

Dispatch N°. 9. Ex. 2°
13 Feb. 1858

Copy.

The Undersigned &c &c &c
has the honor to inform the Prime Minister of the Emperor of China that the Imperial Commissioner Yeh having in the exercise of the authority delegated to him by his Imperial Master refused to grant to the subjects of Her Majesty the Queen of Great Britain and to the subjects of His Majesty the Emperor of the French their Treaty rights and first compensation for injuries inflicted, the High Officers representing the Governments of Great Britain and France have been compelled to have recourse to arms. The City of Canton captured after a brief resistance is now in the possession of the Allied Forces and the Imperial Commissioner a prisoner in their hands.

The Undersigned thinks it proper to enclose a copy of the correspondence between himself and the Imperial Commissioner Yeh which preceded the occurrences to which he is now referring lest by any means an incomplete report of it should have reached the Imperial Throne.

The Prime Minister will observe from this correspondence that the Undersigned notwithstanding the many and serious causes of

of complaint which he had to urge on behalf of his Govt and of the subjects of his Sovereign confined himself in his communication of the 12th of December to the Imperial Commissioner Yeh to the following demands. The complete execution at Canton of all Treaty engagements including the free admission of British subjects to the city. Compensation to British subjects and persons entitled to British protection for losses incurred in consequence of the late Disturbances. informing him at the same time that if these moderate demands and those preferred on behalf of the Emperor of the French by H. E. M. High ... Commissioner and Plenipotentiary were frankly accepted by the Imperial Commissioner within ten days from the date of that communication the Blockade of the River would be raised and commerce permitted to resume its course - but that the English Forces in conjunction with the Forces of the French would retain the Island of Honam as a material guarantee, until the terms of Treaty for regulating these and all other questions pending between the Govts of Great Britain and that of China should have been agreed to between the Undersigned and a Plenipotentiary of equal rank appointed by the Emperor of China to negotiate with him and until the Treaty so

so agreed upon should have been ratified by their respective sovereigns - but adding that if the Imperial Commissioner met these demands by a refusal, by silence, or by evasive or dilatory pleas the Undersigned would deem it to be his painful duty to direct the Naval and Military Commanders to prosecute with renewed vigour operations against Canton reserving to himself the right to make in that case on behalf of the British Govt such additional demands on the Govt of China as this altered condition of affairs might seem in his eyes to justify.

"The Imperial Commissioner disregarding the claims of justice and the true interest of his Sovereign met these very moderate demands by dilatory and evasive pleas and thus drew down upon himself and upon the City of which he was the appointed guardian consequences of which the Undersigned had warned him in the most distinct and emphatic terms.

It is the intention of the Undersigned in his present communication to the Prime Minister to observe the same moderation and frankness which characterized his communication to the Imperial Commissioner Yeh.

In pursuance of this intention he has the honor to state that in concert with his

his honorable colleague the P. P. of France he has resolved that the Forces of Great Britain and France shall continue to occupy the city of Canton ~~ military but that for the present they shall abstain from further measures of hostility against any part of the Chinese Empire except in so far as such measures may be necessary for the security of their position as Masters of Canton.

The Plenipotentiaries of England and France will meanwhile proceed in person to Shanghae where they will be prepared to enter into ~~ negotiations for the settlement of all differences existing between their respective Governments and that of China with any Plenipotentiary duly accredited by the Emperor of China who may present himself at that Port before the end of the month of March.

The Undersigned however in making this communication thinks it proper to apprize the Prime Minister that he is not only authorized by his Govt to demand from that of China compensation for the wrongs inflicted on British subjects and indemnity for the expenses of the war in which his country has been forced to engage by the obstinacy of the Imperial Commissioner Yeh but that he also holds from his august Sovereign the Queen of England Full Powers which enable him to conclude on behalf of his Govt with that of

of China such treaties conventions or agreements as may obviate future misunderstandings and tend to develop commercial relations between the two Countries and that he cannot therefore consent to treat with any Chinese Ambassador who does not hold from the Emperor of China Full Powers equally extensive.

In his present communication to the Prime Minister the Undersigned restricts himself to a few general observations on this important branch of his duties, reserving the discussion of details for the time when he shall have an opportunity of conferring personally with a Plenipotentiary specially commissioned by the Emperor to treat with him.

Notwithstanding the unquestionable benefits which have accrued under the existing treaties between Great Britain and China, to the latter country more especially, in the increase of the Imperial Revenue from the Duties of Customs and in the enhanced value which the competition of foreigners has given to the products of the industry of the Chinese people, experience has shown that in some important particulars they are defective and require amendment.

It is probable for example that if Peking the seat of the Imperial Govt had been accessible to foreign Ministers according to the

the practice which obtains universally among the Great Nations of the West the calamities which have lately taken place at Canton might have been averted.

Again if foreigners were permitted to circulate in the Empire under regulations which would give sufficient security for their good behaviour, such occurrences as the barbarous murder of the French Missionary which has led to consequences so serious would probably be prevented.

The spontaneous growth of an unrecognized trade at Ports of the Empire not opened by Treaty and from which therefore the Imperial Treasury derives no benefit proves how vain is the attempt to confine the foreign trade to the few Ports named in the existing treaties.

Wherefore indeed should the industrious and loyal subjects of the Emperor of China who inhabit the great cities on the seaboard or along the course of the great rivers be prevented from selling the products of their labour to the foreigner who is willing to pay full value for them?

Foreign merchants complain that illegal transit duties are levied on the merchandize which they import and export. For this evil the existing treaties furnish us adequate remedy.

The duties on Imports and Exports originally imposed in the treaties were just and reasonable but some of them have become in process of time unjust and unreasonable because they remain fixed while the price of the articles on which they are levied, changes. This is not as it should be. It proves the necessity of a periodical revision of the tariffs.

The prevalence of Piracy is an embarrassment to trade and a frightful evil to the people on the coasts of China. The Govt of H. B. M. is willing to lend its aid to that of China for its suppression.

Christians in some parts of the Empire are subject to treatment which is not only opposed to the interests of civilization but also the precepts of the greatest Chinese sages. But Christians only desire to live at peace and to do their duty to God and man. Wherefore then should they be persecuted.

If then a Plenipotentiary duly accredited and empowered by the Emperor of China not only to grant compensation for the wrongs inflicted on British subjects and indemnity for the expenses of the War in which Great Britain has been forced to engage but also to treat with the Undersigned on the above mentioned subjects shall present himself at Shanghai before the

the period above specified the Undersigned will meet him in a conciliatory spirit and with a sincere desire to enter into such arrangements with him as may render a further resort to arms unnecessary, reestablish harmony and a good understanding between the great Nations of Great Britain and China and the differences between France and China being in like manner settled, enable the Allied Forces to retire from the occupation of Canton.

If on the contrary no Plenipotentiary so accredited shall present himself at Shanghai before the end of the month of March or if any Plenipotentiary so presenting himself shall be found to have insufficient powers or if having the requisite Powers he shall prove himself unwilling to accede to reasonable terms of accomodation the Undersigned hereby reserves to himself the right of having recourse without further announcement, delay or declaration to such measures in vindication of the claims of his Country on China as in his judgment may appear advisable to adopt.

Canton February 1858

(Signed) Elgin & Kincardine

Despatch N. 9. Q. 2
13 Feb. 1858

The Undersigned &c. &c. &c.
has the honour to apprize the Imperial
Commissioner Yeh that he is the Bearer of
letters of Credence, accrediting him as
Ambassador Extraordinary from H. M. the
Queen of Great Britain to the Emperor of
China and further that he has been
specially appointed and deputed by the
Queen of Great Britain as H. M's High
Commissioner and Plenipotentiary in China
with Full Powers under Her Majesty's Royal
Sign Manual and the Great Seal of the United
Kingdom to settle the differences which have
unfortunately arisen between certain of the
authorities and subjects of H. M. the Queen of
Great Britain and certain of the authorities
and subjects of H. M. the Emperor of China,
and to negociate and conclude with the
Minister or Ministers who may be vested with
similar power and authority by H. I. and
R. M. the Emperor of China such Treaties,
Conventions or Agreements as may obviate
future misunderstandings and tend to
develop commercial relations between the
two

tus Countries.

The Government of H. M. the Queen of Great Britain in appointing this Special Mission is animated by the sincerest feelings of good will towards the Chinese people and its Government. It has observed with gratification the happy results which have followed on the enlarged facilities for Commercial intercourse between Great Britain and China provided under the Treaty of 1842. The industrious subjects of H. M. the Emperor have derived therefrom increased returns for the product of their labour. The duties of customs have supplied timely resources to the Imperial Treasury. Free intercourse has engendered feelings of mutual esteem between Natives and Foreigners. In a word at all the Ports of China opened to Foreign trade save one, commerce has presented itself with its accustomed attendants national wealth and international good-will.

To this favorable picture there is unhappily one exception. By repeated insults to Foreigners and by the refusal to carry out faithfully the stipulations of Treaties the authorities of the Province of Kwang tung have frequently during the period in question

put

put in jeopardy the peaceful relations of China with the Treaty Powers. Great Britain, France and America have successively been compelled to seek by menace or by the employment of force satisfaction for wrongs wantonly inflicted until finally an insult to the British flag followed by the refusal of the Imperial Commissioner to grant adequate reparation or even to meet in the City the Representative of H. B. M. for the purpose of effecting an amicable settlement has forced the officers who are charged with the protection of British interests in this quarter to have recourse to measures of coercion against Canton. The Contest thus commenced has been carried on by the Chinese authorities in a manner repugnant to humanity and to the rules of warfare recognized by civilized nations. Acts of incendiarism and assassination have been promoted by the offer of rewards. Under the influence of these provocations innocent families have been plunged into mourning by the kidnapping of private individuals and vessels engaged in the peaceful pursuits of commerce have been treacherously seized and the European crews and passengers barbarously murdered.

The

The Undersigned thinks it right to remind the Imperial Commissioner that the Government of H. B. M. in its endeavours to terminate a state of affairs which has led to these deplorable results has not confined its efforts to representations addressed to the Imperial officers on the spot. In the year 1849 a communication was by the express command of Viscount Palmerston H. M. Secretary of State for Foreign Affairs transmitted to the Imperial Government at Peking warning it of the consequences that would ensue from the nonfulfilment of treaty engagements and terminating in these words "Let the Chinese Government well "consider these things and whatever may "happen in future between the two countries "that may be disagreeable to China, let the "Chinese Government remember that the fault "thereof will lie upon them." And again in the year 1854 Sir John Bowring H. M. Plenipotentiary urged upon the Imperial Commissioners who were deputed to confer with him at the mouth of the Peiho the necessity of granting to British subjects free access to the City of Canton. These representations however prompted by a spirit of conciliation

and

and humanity have been unheeded and the result has only served to prove that the forbearance of the British Govt has been misunderstood by that of China.

In the conviction that the season for remonstrance is past Great Britain does not stand alone. The disregard of treaty obligations and the obstinate refusal to redress grievances which have forced the British authorities to have recourse to arms have aroused the just indignation of the Govt. of H. I. M. the Emperor of the French. The Governments of England and France are united in their determination to seek by -- rigorous and decisive action reparation for past and security against future wrongs.

Under these circumstances the Undersigned thinks it his duty to state distinctly to the Imperial Commr. that he cannot assume the responsibility of arresting the progress of hostile operations against Canton until the following demands of the British Govt. are absolutely and unreservedly conceded ——— The complete execution at Canton of all Treaty engagements, including the free admission of British subjects to the City. — Compensation to British subjects

and

and persons entitled to British protection for losses incurred in consequence of the late disturbances.

If these moderate demands and those preferred on behalf of the Emperor of the French by H. I. M. High Commissioner and Plenipotentiary be frankly accepted by the Imperial Commissioner Yeh within the period of ten days from this date the Blockade of the River will be Raised and commerce will be permitted to resume its course. But the English forces in conjunction with the forces of the French will retain the island of Honan and the Forts on the River as a material Guarantee until the terms of a treaty for regulating these and all other questions pending between the Govt. of Great Britain and that of China shall have been agreed to between the Undersigned and a Plenipotentiary of equal rank appointed by the Emperor of China to negociate with him and until the Treaty so agreed upon shall have been ratified by their respective Sovereigns.

If on the contrary the Imperial Comm. shall meet these demands

by

by a refusal by silence or by evasive or dilatory pleas the Undersigned will deem it to be his painful duty to direct the Naval and Military Commanders to prosecute with renewed vigour operations against Canton reserving to himself the right to make in that case on behalf of the British Government such additional demands on the Government of China as this altered condition of affairs may seem in his eyes to justify.

(signed) Elgin & Kincardine.

December 12th 1857.

Received H.M.'s Ep.
13 Feb. 1858

Yeh Imperial Commissioner, Gov.r General of the Two Kwang &c makes a communication in reply.

On the 12th inst I received the letter sent to me the same day and was highly gratified to learn that Y. E. had been sent with Plenipotentiary Powers to Canton.

By the commercial relations ensuing on the establishment of treaty between our two Countries, the Mercantile Communities of both have alike been advantaged. The letter under acknowledgment observes that "to the favorable picture presented at the Ports of China "there is one exception." Now during more than a century that Y. E's nation traded at Canton, its trade was with Canton alone; no such thing was known as four other Ports: they were first opened by the treaties of 1842 and 1844. Canton had had, it is true, its own* ways of trade long established. So far indeed it differed from the other Ports, but its commercial Intercourse has been throughout conducted on the same principle as theirs, nor has there been any more at Canton [than elsewhere] any "Insult to Foreigners".

* he means under the Co's Hong

As to the question of admittance into the Provincial City of Canton, no article whatever

relating to this exists in the Treaties of 1842 and 1844. It was in march 1847 that the Plenipotentiary Davis attempted, at a moment's notice, to raise the question. He prescribed a term of two years [within which the right was to be conceded] but before one year had elapsed, the unsatisfactoriness of his conduct in many particulars had been complained of by merchants who returned home for the purpose, and he was recalled. He was replaced by the late Plenipotentiary Bonham, subsequently to whose arrival in Kwangtung, there passed in 1849 a long correspondence between him and the late Commissioner Yeu. Discussion respecting admittance into the city was finally dropped, and the Plenipotentiary Bonham issued a notice from the Govt Offices" to the effect that "he (the Governor) would not allow foreigners to enter the city". On this I myself, then Governor, in concert with Yeu, then Commissioner, represented to his late Majesty, canonised as the Perfect, in a memorial, that the English had finally dropped the question of admittance into Canton, and we had the honour to receive in reply the following Imperial Decree — "The walling of cities is for the protection of "the people; in the protection of the people lies the "security of the state. The Direction of the popular "mind is the direction of the will of Heaven. If the "people of Kwang-Tung are unanimously opposed "to the admission of foreigners into the city, can an

"an Imperial injunction be laid on them by Proclamation,
"to do, whether they will or no? It is not in the power
"of the Govt of China to cross the wishes of the people
"out of deference to the men from afar. On the other
"hand it behoves foreign nations to study the temper
"of the people to the end that they may turn their
"capital to the best account. Respect this!"

It is also reported on the authority of an English newspaper of 1850 that a Royal [lit National] letter from the Queen arrived at Hong-Kong to the address of the late Plenipotentiary Bonham to the following effect; "We are informed of every thing regarding Tientsin and the five Ports of China as detailed in the representation [of Mr Bonham] the *Governor in question has without doubt shown great sagacity in the course he has followed. He was aware that Sew, Governor General of the two Kwang, was secretly devising measures in which Yeh, Governor of Kwang-Tung was also taking part, and that they had together moved the Chinese Govt to send from Peking a secret expedition of the *Solon vessels of War for the defence of Tientsin. But though our vessels of war could have been easily worked [sc by pushing and

*A Mongol Tribe

---

* Governor.— Great Chief of soldiers. The term used by the common people at Hong-Kong.

"pulling] along the shores [of the Peiho] to fight with
"these, Bonham knowing what was becoming his own
"nation [a Govt.] and being well acquainted with the
"purpose of his visit to the Ports of China, to an observation
"of the condition of the country prosperous or otherwise.
"Here we to have fought, the Chinese would have said that
"our people were entirely in the wrong. It is hence
"evident that our Governor Bonham has managed
"matters very satisfactorily; by no offence against
"reason [or right] has he caused us anxiety; he is
"very much to be loved. Let Bonham be rewarded
"with the title of wi-li-pa*." (The Queen) also conferred
on him a badge of honour to be bourne on his person,
very goodly to behold; and the English authorities
and merchants at Hong-Kong went in their dresses
of ceremony to offer him their congratulations.

Thus the merchants of Your Excellency's nation
(shewed that they) thought the Plenipotentiary
Bonham right and the Plenipotentiary Davis wrong.
It is doubtless the duty of Your Excellency who is
come here in obedience to your instructions, to
imitate the conduct of the Plenipotentiary Bonham.
It is equally imperative that you should decline to

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* There is a confusion between Sir G. Bonham's
Knighthood of the Bath, and his Baronetcy.
Wei-li-pa a Chinese suggests stands for Ba-li-wei,
supposed to be Anglo Chinese for Baronet. It is not a Chinese term

to imitate the conduct of the Plenipotentiary Davis.

With respect to that passage in the letter under acknowledgment which says that "until the "terms of a Treaty shall have been agreed to between "the Undersigned and a Plenipotentiary of equal "rank appointed by the Emperor of China to negociate "with him &c";— in 1850, the late Plenipotentiary Bonham went in person to Shanghae and detached thence an officer to Tien-tsin, to request once more admission into the City. In 1854, the Plenipotentiary Bowring went himself to Tien-tsin and intreated with instance* to be admitted into the city; also that the Treaty should be reconsidered. His Majesty the Emperor, holding that whereas the Treaties of 1842 and 1844 were ratified by the late Emperor, canonised as the Perfect, there was not in the agreement so sanctioned by his late Majesty and which was to last ten thousand years, with a view to the preservation of a good understanding for evermore, any place for alterations, and that the order of proceeding that had resulted in those advantages which had from the time the treaties were made, accrued to Chinese and foreigner alike, from commercial

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* The term is one commonly used in closing petitions. The Digest of the Statutes employs it in speaking of Russia's solicitation for a commercial Treaty in 1793

commercial intercourse, had been in no respect other than what was in accordance with the treaties; was satisfied that these were good and sufficient. The cessation of discussions regarding admittance into Canton was for His Majesty a point on which the fiat of his late Majesty had been received, and as the Treaty of Peace for ten thousand years had been in like manner ratified by His late Majesty, it would have been equally improper to alter this. Hence although on both occasions that (officers) of Your Excellency's Government repaired to Tien-tsin, Imperial Commissioners* were sent to receive them, no propositions respecting (fresh) regulations (of trade) were allowed to be considered. The Officers were desired to return to Canton and conduct business there in obedient conformance to treaty. (And so) now no officer of China, be his rank what it may, could venture to act otherwise than in accordance with the sacred will (of the Emperor)

Again, your letter says that there must be "compensation to British subjects and persons entitled to British protection for losses —

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* There is a little confusion here. An Imperial Comm^s was sent to meet Sir J. Bowring & Mr McLane in 1854 — None of course came to meet Mr Medhurst in 1850.

incurred in consequence of late disturbances".
The understanding of last October was caused thus
. The Chinese Government having arrested some
Chinese criminals Consul Parkes wrongfully gave
heed to the unsupported testimony of the Captain
of the lorcha, who asserted that the Government
executive, when they came on board to seize the
guilty parties, hauled down the British ensign.
"He was not aware that no flag was seen flying
by the executive when they boarded the vessel;
that, as stated by the sailors seized, the flag
was at the time down in the hold, and that it
was consequently plain beyond a doubt, that no
flag was flying at all. The lorcha was built by, and
in the employ of Too-Aching, for whom the Captain
obtained a register. The crew were consequently all
outlaws of the Inner Land, (ie. offenders against the
laws of China). The prisoners Te-Ming-Tae and
Liang-Kien-fu both pleaded guilty to acts of piracy
on the high seas. To this Too Aching bore witness. It
was established that the criminals before mentioned
were notorious pirates. On the repeated representations
of Consul Parkes, (however) I returned the twelve
prisoners to him. *Feeling and justice were thus

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* Feeling viz: the feeling of unwillingness to act
discourteously towards the authority of a friendly
power.

thus alike satisfied, but Consul Parkes instead of receiving them, suddenly and without a cause commenced hostile operations; attacked and destroyed the forts along the different approaches, for several days in succession bombarded the provincial city, and on three occasions sent parties of English troops to fire houses and buildings in different directions. Millions of people were eye witnesses of these things. There is not a native of any foreign state who is not aware of them At the very commencement every Englishman and every other foreigner with a sense of justice did all that in them lay to dissuade Consul Parkes from proceeding; but he would not listen. He declared too that he would be personally responsible for all the loss they might incur, and in January last, he went to Hong-Kong, and made out an account of their losses with all the Merchants who had suffered; which shews that he was taking their compensation on himself. The method of effecting this has long been settled; with it China has in fact no concern. Her Merchants alas, have sustained an amount of injury graver than the losses that have fallen on those of Your Excellency's nation. (But) the same rules applies to both.*
My court is thronged by the gentry and people of the

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* That is each must bear its own losses.

the city and suburbs imploring me to write to Your Excellency to enquire into the matter and dispose of it impartially. I have not made their petitions the subject of a despatch, but if you will not believe me I will enclose copies of them in my next reply for Your Excellency's perusal and guidance. As to Honam, its gentry and people are fierce and energetic*. In April 1847 when the Merchants of Your Excellency's nation wanted to lease ground on Honam, the gentry and people presented a petition generally signed to the Plenipotentiary Davis, who notified to them in his reply that the matter should stand where it was. Your letter talks of a military occupation of Honam and of the forts along the river, but if you could not proceed once before, even with such a measure as the building and leasing of warehouses there, how should it be possible to station troops on Honam? The Forts along the river have been built at the expense of the gentry and people for their protection against piracy. An attempt on the part of the troops of Your Excellency's nation to occupy these will I fear produce a state of irritation which may grow into a serious misunderstanding. (If it do,) let it not be said that I did not speak in time, or that I did not do all that in me lay to provide for your safety.

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* Intractable.

The propositions brought forward in your letter have been suggested it appears to me, by some mischievous person at your side, they are not Your Excellency's own conceptions. I have long heard of Your Excellency's great experience and discretion, of the universal esteem in which you are held in your own country. The great trust which you are come to Canton to discharge towards your own Government is naturally, the termination of the troubles here existing; not assuredly the creation of (fresh) troubles. Your Excellency's acts will I feel sure anticipate my confidence in your perfect sense of justice and thorough impartiality.

The words "commerce shall resume its course" in your letter are additional evidence of Your Excellency's sense of justice and practical knowledge. Ever since the Treaty was made, in all their commercial dealings with foreigners, the Merchants of Canton have invariably behaved as they ought. It is not from any hinderance interposed by China that no foreign merchant vessel has been here since last October - By Your Excellency's declaration now made that "commerce between native and foreigner shall resume its course" You justify to their complete satisfaction the high estimation in which you are held by all classes of your own countrymen. What is more you enable yourself to meet the

the anxious expectations of the commercialists of every other country.

To conclude — our two nations have ever considered themselves as on friendly terms with each other and the continuance of trade between native and foreigner on its accustomed footing can of course be satisfactorily arranged in correspondence between you and myself.

I accordingly reply to you availing myself of the occasion to wish Your Excellency the blessings of the season, comfort and peace.

A necessary communication addressed to H. E. the Earl of Elgin & Kincardine, &c &c &c

Hsien-Fung. 7th Year 10th Moon
29th day — 14th Decr 1857

Translated by T. Wade
Chinese Secy

Enclosure No. 2 in Dispatch No. 29
13 Feb. 1858

Copy. —

"The Undersigned has received the communication which the Imperial Commissioner Yeh did him the honour to address him under date the 14th inst.

"The Undersigned has failed to discover in this communication, which he has attentively perused, any indication, on the part of the Imperial Commissioner, of a disposition to accede to the moderate demands which, in his communication to the Imperial Commissioner of the 12th inst, he preferred on behalf of the Gov. of Great Britain.

"He is therefore reluctantly compelled to recall to the recollection of the Imperial Commissioner the closing paragraph of that communication which is conceived in the following terms, "If, on the contrary, the "Imperial Commissioner shall meet these "demands by a refusal, by silence, or by "evasive or dilatory plea, the Undersigned "will deem it to be his painful duty to direct "the naval and military Commanders to "prosecute with renewed vigour, operations against "Canton, reserving to himself the right to "make, in that case, on behalf of the British "Govt, such additional demands on the Govt "of China as this altered condition of affairs may

"may seem in his eyes to justify."

The Undersigned has now to inform the Imperial Commissioner that he has called upon the naval and military Commanders to prosecute with renewed vigour operations against Canton and to add that, in accordance with the terms of the intimation, given in the words above quoted, he formally reserves to himself the right to make, on behalf of the British Govt, such additional demands as the altered condition of affairs, produced by the Imperial Commissioner's refusal to accede to terms of accomodation, may seem in his eyes to justify.

The Undersigned avails himself &c

H.M.S. "Furious". Canton River

December 24th. 1857.

(Signed) Elgin & Kincardine.

13 Feb. 1858

Yeh, Imperial Commissioner, Governor General of the two Kwang &c makes a communication

On the 24th inst I received Your Excellency's letter of the same date and acquainted myself with its contents.

In my answer to your earlier letter I replied to every proposition, point by point, specifically and minutely; [yet] in the letter under acknowledgment you say that you have failed to discover in the communication which you have attentively perused any indication of a disposition to accede[1] to the moderate demands preferred on behalf of the Gov't of Gt Britain. I shall endeavour to restate clearly to Ly. E. what I said before.

To go back, in October last year Mr Consul Parkes, without any cause, commenced hostilities, attacked the forts along the different approaches, and

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(1) Accede — The term by which I had rendered this in Chinese is composed of two words jang amicable concession as opposed to unyielding tenacity of which strife is the consequence and here to promise or undertake, performance or compliance. It will be seen below that for his own purposes, the Commissioner divides the combination and deals with each part of it separately.

and thrice sent troops to fire Buildings and dwellings in different directions. The gentry and people had suffered sadly by this, and on Y. E's arrival at Kwangtung last July, as I have heard, presented a petition to you on the subject. No steps having as yet been taken in the case, crowds of gentry and people have come to my court, — discontented and imploring me to write to Y. E. to make equitable decision therein; and because I did not address Y. E. on the subject they were going to Hongkong again to clamour for redress at your Excellency's place with all their might. By various shifts I have — dissuaded them [from this proceeding] — attributing what happened entirely to Consul Parker's want of sense on a particular occasion, that Y. E. might be spared this trouble [or difficulty]. This shows the best disposition on my part to be conceding.(2)

In the next place ever since Y. E's countrymen began to trade at Canton the — merchants of China have, in every instance, conducted

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(2) See note above. The Commissioner means had my intention been the opposite of conceding I should not have dissuaded the Petitioners from a course which boded strife.

conducted themselves towards them with propriety. To the proposition in your former letter "commerce shall resume its course" I gave the fullest assent. How then can I be charged with refusing.(3) On the contrary there is plain proof that I "promised"(4) [to concede what was asked]. As to the passage in the letter under acknowledgment "if [the Commissioner shall meet these demands] by silence" — in my last reply I answered every question in its own order; in no wise then was I silent" and as to the other passage "language of retrocession and refusal(5) — I shall instance [my remarks on] the late Plenipotentiary Bonham's abandonment of the discussions respecting admittance into the city; my last Reply detailed clearly how for his satisfactory administration of that question, he was honoured by the praises of all classes of your countrymen; in no wise then [did I use] "language of retrocession and refusal".

To conclude, our two nations regard themselves as

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(3) The Chinese here quoted is from that part of the Earl of Elgin's letter of the 12th inst which was repeated in His Lordship's letter of the 24th. "If the Imperial Commissioner shall meet these demands &c"

(4) This is the second part of the combination referred to in note 1.

(5) The words translated "retrocession and refusal" are

as on friendly terms with each other; this being the case there can be nothing which makes it impossible for us to consult together and arrange satisfactorily by what means, in the words of Ky. E. "Commerce may resume its course" - [which declaration made (6)] what becomes of my "refusal to accede to terms of accomodation?"

Pray let Ky. E. who has a sense of justice and an experience of business, once more closely examine and carefully reperuse my last reply.

I accordingly reply to you availing myself of the occasion to wish Ky. E. the blessings of the season comfort and peace. A necessary communication addressed to the Earl of Elgin & Kincardine &c &c.

Hsien Fung - 7th year - 11th moon
10th day - [Decr 25 - 1857]

Translated Thomas Wade. Chinese Secy.

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are not in the letter sent; they have been substituted for those representing "dilatory and evasive". The characters Yeh employs makes us accuse him of "backing out and definitive refusal". I am not sure that much if anything is intended by the change.
(Sd. T. Wade)

(6) The Commissioner means to imply "and it was made at the close of my first Reply" - the language of which he has employed pretty generally in this —.

Dépêche n° 4 en date
13e Feb. 1858

Mission Extraordinaire
de France
en Chine. 1

A bord du Primauguet.
le 4 Fevrier 1858.

Monsieur le Ministre,
J'ai l'honneur d'envoyer ci-joint à Votre Excellence la copie d'une note que j'ai l'intention de faire parvenir bientôt à Pékin et qui est adressée au Ministre premier secrétaire d'Etat de l'Empire. Cette note fera connaître à Votre Excellence la marche que je me propose de suivre pour donner cours à la mission que le Gouvernement de l'Empereur mon, Auguste Souverain, m'a confiée dans ces contrées et dont la première partie vient de se terminer devant Canton.

Je joins à cette note une copie de la correspondance que j'ai échangée avec l'ex-Commissaire Impérial Yé avant la

A Son Excellence Monsieur William B. Reed
Envoyé extraordinaire et Ministre plenip. des
Etats-Unis d'Amérique.
etc^a etc^a etc^a

la prise de Canton par les forces alliées de la France et de l'Angleterre, et votre Excellence verra par la lecture de ces documents tout ce qu'il y a eu de modération dans la marche suivie par le Gouvernement de l'Empereur dans ces graves affaires. Elle acquerra la preuve evidente aussi, que l'emploi de mesures coercitives, toujours à regretter, a été malheureusement le seul moyen qui ait pu offrir des chances de succès. Votre Excellence verra enfin que, forcés d'envenir à de pénibles extrémités, les plénipotentiaires des deux puissances alliées ont fait tout ce qui a dépendu d'eux pour en prévenir les rigueurs inutiles, pour en atténuer les maux et pour en réparer les désastres.

L'ordre est rétabli dans Canton, le blocus de la rivière et de la ville sera levé le 10 de ce mois, mais la ville et les faubourgs que les forces alliées doivent conserver jusqu'au moment où les differends qui existent entre la Chine et la France et L'Angleterre seront reglés d'un commun accord, seront régis par l'état de siège sous l'autorité

des commandants des forces alliées.

En faisant sans réserve à Votre Excellence cette importante communication, je ne fais qu'obéir à l'esprit des instructions qui m'ont été données par le Gouvernement de l'Empereur. Votre Excellence verra dans la note destinée au premier Ministre à Pékin, quelles sont les principales concessions que, dans un intérêt commun, il serait utile d'obtenir, et si les demandes que Son Excellence Lord Elgin et moi allons bientôt soumettre à la discussion et à l'acceptation du Gouvernement de Pékin recevaient — l'appui que Votre Excellence pourrait leur donner, si elle le jugeait à propos, les demandes acquerraient une nouvelle valeur dans l'esprit du Gouvernement Chinois et auraient par conséquent plus de chances pour être admises sans qu'il fut nécessaire — d'avoir recours à l'emploi de mesures coercitives.

Je me félicite, Monsieur le Ministre, d'avoir à faire à Votre Excellence une communication de cette nature et je saisis cette occasion pour lui offrir l'assurance

de

des sentiments de haute considération avec
lesquels j'ai l'honneur d'être

Votre très humble
et très obeissant serviteur,

Baron Grol.

Translation.

Despatch N. 9. Cy 23
13th Feb. 1858

Mission Extraordinary of France in China.
On board the "Primauguet."
February 4. 1858.

Sir,

I have the honour to send herewith to Your Excellency the copy of a note which I intend to send forthwith to Peking, and which is addressed to the Minister, the first Secretary of State of the Empire. This note will make known to Your Excellency the course that I propose to follow to give effect to the mission which the Government of the Emperor, my August Sovereign, has confided to me in this country, the first part of which has just been terminated before Canton.

I append to this note a copy of the correspondence that I have had with the Ex- Imperial Commissioner Yeh before the capture of Canton by the allied forces of France and England, and Your Excellency will see on all the moderation of the course pursued by

Reading these documents

To His Excellency
Wm B. Reed.
Envoy Extraordinary & Minister Plenipotentiary
of the United States of America &c. &c.

by the Government of the Emperor in these grave affairs. You will also have the evidence that the use of coercive measures, always to be regretted, has unfortunately been the only means that offered any chance of success. Your Excellency will see finally that, forced to painful extremities, the plenipotentiaries of the two allied Powers, have done all in their power to obviate useless severities, to lessen the evils and to repair the disasters which are inevitable.

Order is reestablished in Canton - the blockade of the river and of the city will be raised on the tenth of this month, but the city and the suburbs, which the allied forces must hold until the differences existing between China, France, and England shall be settled by common agreement, will remain in a state of siege under the authority of the commanders of the allied forces.

In making without reserve this important communication to Your Excellency, I only obey the spirit of the instructions given to me by the Government of the Emperor. Your Excellency will see in

the

the note addressed to the Prime Minister at Peking what are the principal concessions which in a common interest, it would be useful to obtain, and if the demands, which His Excellency Lord Elgin and myself are going to submit forthwith to the discussion and acceptation of the Government at Peking, should receive the support which Your Excellency could give them, should you judge it proper, these demands would acquire a new weight in the estimation of the Chinese Government, and would have — consequently a greater chance of being acceded to, without its becoming necessary to have recourse to coercive measures.

I congratulate myself, Sir, on having to make to Your Excellency a communication of this nature, and I take the opportunity to offer you the assurance of the sentiments of high consideration with which I have the honour to be

Your most humble
and obedient servant.
Baron Gros.

Despatch N°. 9. Ex 2e
13e Feb. 1858

Bourboulon. Ministre Plénipotentiaire de France en Chine. adresse la communication officielle qui suit à S.E. Yé. Lieut Commissaire Impérial. etc. etc.

Par mes dépêches en date du 14 Mars et du 4 Avril de cette Année, j'ai notifié au noble fonctionnaire que j'avais reçu l'ordre de mon Auguste Souverain de réclamer de nouveau la réparation déjà demandée précédemment par le Chargé d'Affaires de France, Comte de Courcy pour la Violation du traité de Whampoa dans la barbare exécution du missionaire Schaefele. Sicaine, ordonnée par le Magistrat de Si-Lan. Si-Lan
et comme déjà beaucoup de mois s'étaient passés sans qu'il eût été satisfait à cette demande, et sans que le noble dignitaire eût annoncé qu'il l'avait transmise à la Cour de Pékin, ou qu'il fût même dans l'intention de la faire, je lui ai déclaré que si, dans un délai déterminé, il ne m'adressait pas à ce sujet une réponse satisfaisante, je considérerais son silence ou une réponse évasive comme équivalents à un refus de satisfaction, et me croirais dès lors autorisé, d'après les instructions de mon Gouvernement, à agir en conséquence.

Le noble fonctionnaire a été ainsi dûment averti des graves conséquences que le

refus d'accorder la juste réparation demandée d'abord par le Chargé d'affaires de France, et ensuite par moi-même au nom de Sa Majesté l'Empereur des Français, pouvait avoir pour le maintien de la bonne harmonie qui a existé jusqu'ici entre les deux Empires. Cependant sa réponse à ma dernière communication n'était pas plus satisfaisante que les précédentes et ils s'est encore écoulé depuis lors, près de huit mois sans qu'il ait jugé à propos de me rien faire savoir de positif au sujet d'une affaire de si haute importance.

Je dois maintenant lui faire connaître que S. M. l'Empereur, mon Auguste Souverain, justement offensé du refus de toute satisfaction qui résulte des réponses dilatoires ou du silence prolongé, opposé par le noble dignitaire, chargé de traiter les affaires extérieures de l'Empire Chinois, à ses représentants, s'est déterminé à envoyer en Chine un Commissaire Impérial d'un rang plus élevé, ayant pour mission de mettre un terme à une situation qu'il considère comme portant atteinte à sa dignité; que Sa Majesté Impériale a confié cette haute mission à Son Excellence Mr. le Baron Gros, revêtu à cet effet du caractère de Commissaire extraordinaire et d'Ambassadeur de l'Empereur des Français en Chine: que ce

haut fonctionnaire est arrivé depuis peu dans les environs de Canton, et qu'il se propose d'entrer incessamment en communication avec le noble Vice-Roi au sujet des graves affaires de sa mission, tout en me laissant, à moi, Ministre Plenipotentiaire, le soin de continuer de traiter, s'il y a lieu, les affaires ordinaires de mon gouvernement.

Voilà, noble fonctionnaire, ce que j'ai à porter à votre connaissance, en vous priant de le prendre en sérieuse considération et d'agréer mes souhaits de toutes sortes de prospérités.

Macao, 10 décembre, 1857.

(Signé) Baurboulon.

Pour copie conforme
(Signé) Baron Gros

Dispatch N°. 4 & 2
13 Feb. 1858

Ki-ié, Haut Commissaire Impérial de la dynastie Ta-Tsing, etc. etc. etc., répond ainsi qu'il suit:

Le 26ème de la 10ème lune (le 11 Décembre 1857) j'ai reçu de Votre Excellence une dépêche datée du 25 de la même lune (le 10 Décembre, 1857) et j'ai pris connaissance de son contenu.

Quand j'ai reçu, le 10me de la 3ème lune (le 4 Avril 1857) la dépêche de Votre Excellence au sujet de l'arrestation et de la mort du missionnaire Chapdelaine, ordonnées par le mandarin du district de Si-Lin dans la province de Kwang-si, j'ai écrit au sous Vice-roi de cette province pour le prier d'examiner cette affaire, et j'ai ordonné au juge criminel du Kwangsi de faire faire de son côté par ses subordonnés, une enquête sérieuse à ce sujet.

Par suite de cette démarche, le juge criminel m'a répondu qu'après avoir reçu ma dépêche, il avait donné des ordres précis pour que cette affaire fût bien étudiée, et le rapport que ce fonctionnaire a reçu du Magistrat de Si-Lin dont le nom est Tchang-ming-fong est ainsi conçu:

"En cherchant dans les archives (celles du Magistrat) conformément aux ordres que vous m'avez donnés, je n'y ai trouvé aucun indice

qui

Qui fut faire connaitre que le prêtre Ma-chen-Fou (Mr Chapdelaine) ni l'individu nommé Pa-ven, ni la veuve Agnès, aient été ni arrêtés, ni battus, ni mis à mort par moi dans le 19ème jour de la 1ère lune de la 6ème année de Hien-fong (le 24 Février 1856) et ce jour là personne n'a été détenu dans ma prison. Mais voici ce qui s'est passé pendant la 2ème lune de cette même année (pendant le mois de Mars 1856). Me trouvant dans le village de Di-hieng pour le défendre et m'opposer à l'entrée des rebelles dans le bas de ce village, le chef même du bourg de Yng-Yaung est venu me dire que le rebelle Ma-ten-nung et quelques autres y étaient arrivés et y répandaient des paroles étranges pour séduire le peuple et l'engager à faire partie de la société de la Triade; que ces individus s'étaient livrés à toute sorte d'excès en volant en violant les femmes etc. etc. etc.

En recevant cette déclaration du chef même du bourg, je suis parti sur le champ avec lui et avec des soldats pour chercher à m'emparer des coupables; mais je n'ai pu arrêter que Ma-Ten-nung, les autres rebelles ayant pris la fuite.

Ma-Ten-nung interrogé par moi, a déclaré qu'il était né à Canton; qu'il appartenait à la même société que Lin-pa et Tan-a-sieou; que Lin-pa et ses associés étaient dans le district de

Yaun-hien mettant le désordre parmi le peuple. Il a dit aussi qu'il s'était rendu à Di-Linn, pour y rassembler du monde et gagner des adeptes à la société de la Triade, et il a avoué enfin avoir commis des vols, violé des femmes, etc. etc. etc.

Par suite de cette déclaration faite par le coupable, et dans la crainte qu'un grand nombre de rebelles qui cherchaient à soulever le peuple, d'autres révoltés ne vinssent se réunir pour causer plus de troubles encore, j'ai fait exécuter le coupable et dans le rapport que j'ai envoyé pour faire connaître la destruction des rebelles, j'ai parlé de cette exécution.

Comme j'ai reçu l'ordre de rechercher tout ce qui s'est passé à cette occasion, je dois dire que j'ai fait arrêter seulement le coupable Ma-Tsu-wang, et que je l'ai fait exécuter. Mais le nom de cet individu n'étant pas le même que celui de Ma-chen-Tan que vous m'indiquez dans votre dépêche, et ces deux individus n'étant pas non plus du même endroit, je ne crois pas que l'on puisse prendre l'un pour l'autre.

Je vous prie de vouloir bien envoyer cette déclaration à Son Excellence le Vice-Roi "des deux Kiangs."

Je dois donc par suite de cette déclaration du mandarin du district de Di-Linn, qui m'a

été transmise par le juge criminal de la pro-
vince de Kwang si, faire observer à Votre Excellence
qu'il n'y a eu aucune arrestation d'effectuée
sur la personne de Ma-chen-Fan (Mr Chabdelaine)
Je juge donc que Votre Excellence a été mal infor-
mée et je trouve, par conséquent, qu'il est inutile
de parler plus long temps de cette affaire.

Quant à ce que Votre Excellence me dit dans
sa dépêche qu'un haut fonctionnaire, nommé Ko
(Mr le Baron Gros) expressément envoyé par son
noble Empire, était arrivé à Canton pour traiter
une affaire d'une haute importance qui touche à
l'honneur et à la dignité de sa nation, je dois
dire à Votre Excellence, que si Son Excellence
Monsieur le Baron Gros a quelques négociations
à entamer, ma réponse sera que je me renferme-
rai dans les limites du traité, et que j'agirai comme
je l'ai fait jusqu'à présent.

Voilà ce que j'ai à répondre à Votre Excel-
lence en lui souhaitant en même temps toutes
les prospérités.

La dépêche ci-dessus est addressée à Son
Excellence Monsieur de Bourboulon, le 27 jour
de la 10ème Lune de la 7ème Année de Hien-Fong
(le 12 Décembre 1857).

Pour traduction éxacte
(signé) Baron Gros

Despatch N°. 9. Cy. 2ne
13e Feb. 1858

A bord de la frégate Impériale l'Audacieuse
dans la rivière de Canton le 12 Décembre 1857.

A son Excellence le Gouverneur général des deux Kwangs, le noble commissaire Impérial Yé, l'un des Ministres de l'Empereur, chargé des relations extérieures du Céleste Empire &c. &c. &c.

Le soussigné, nommé Ambassadeur extraordinaire de sa Majesté l'Empereur des Français, près le grand Empereur des Cinqs, et muni des lettres de créance qui l'accréditent en cette qualité auprès de l'auguste Souverain du Céleste Empire, porteur également de pouvoirs qui lui ont été conférés en qualité de Commissaire extraordinaire et Plénipotentiaire de France pour régler les différends qui existent entre les deux nations, et chercher à rendre plus utiles aux sujets des deux Empires les rapports d'amitié de commerce et de navigation établis entre eux par les traités et par les progrès de la civilisation: ... a l'honneur d'annoncer à son Excellence le grand dignitaire, Gouverneur général des deux Kwangs, Ministre de Sa Majesté Impériale, et chargé de la direction des relations extérieures du Céleste Empire, qu'il est arrivé dans la rivière de Canton, et qu'il est prêt à recevoir à bord de la frégate de sa Majesté Impériale l'Audacieuse, toutes les communications que son Excellence voudra bien lui adresser en conséquence de l'attitude qu'il lui est prescrit de prendre en arrivant en China

La première démarche qu'il doit faire, après avoir rempli les formalités dont il vient de s'acquitter, est de rappeler à Son Excellence le noble Gouverneur général, la violation du traité de Wampoa, et l'impossibilité qu'il y a eu, jusqu'à présent, pour la France, d'obtenir par les voies ordinaires, la juste réparation qui aurait du lui être offerte spontanément par l'autorité supérieure, lorsque a eu lieu le meurtre de l'infortuné missionaire français, Auguste Chapdelaine.

Le déni de justice que la France éprouve depuis longtemps, et qui ne doit plus se prolonger, a donné lieu de croire que le grand Empereur de la dynastie des Ciings n'avait pas été informé des plaintes et des réclamations que la légation de France avait adressées, à diverses reprises, aux dépositaires de son autorité. Comment Sa Majesté Impériale n'aurait-elle pas fait promptement justice si la vérité était parvenue jusqu'à elle? on douterait serait lui manquer de respect.

Le soussigné a donc reçu de son Auguste Souverain l'ordre de se rendre en Chine le plus promptement possible, et en y arrivant de se diriger vers le Pé-tché pour faire connaître la Vérité à l'Empereur et lui demander, en même temps, de vouloir bien désigner un fonctionnaire d'un rang égal à celui du soussigné pour que réunis à l'amiable, les deux négociateurs puissent s'entendre en cherchant à

Mélinos les relations qui existent heureusement entre les deux Empires; mais, arrivé trop tard dans ces contrées lointaines, le soussigné a dû remettre à une autre époque son Voyage dans le nord.

Cependant le désir qu'il éprouve de voir se terminer un état de choses qui dans le fait de l'Empire tend à devenir plus grave de jour en jour, l'engage à faire une dernière tentative auprès du noble Gouverneur général, au quel il s'adresse aujourd'hui, en le priant en même temps, ou en le requérant s'il le faut, de vouloir bien faire connaître à Sa Majesté Impériale l'arrivée d'un agent supérieur diplomatique de France dans son Empire, et les motifs qui ont déterminé l'Empereur des Français à le charger de la haute mission qui lui est confiée.

La position du Plénipotentiaire extraordinaire de France étant ainsi nettement définie, il demande à Son Excellence, le noble Gouverneur général des deux Rivages, la permission de lui rappeler en peu de mots, et sans y apporter le moindre sentiment d'aigreur, les griefs sérieux dont la France se plaint, le silence presque injurieux que l'on garde à ce sujet envers elle, et enfin les réparations qu'elle demande.

Le second paragraphe de l'article 12 du traité de Wampoa est ainsi conçu: "Si, contrairement aux présentes dispositions, des Français,

Quoi qu'ils soient pénétrassent dans l'intérieur, ils pourraient être arrêtés par l'autorité Chinoise laquelle, dans ce cas, serait tenue de les faire conduire au Consulat français du port le plus voisin; mais il est formellement interdit à tout individu quel conque de frapper, de blesser, ou de maltraiter en aucune manière les français ainsi arrêtés, de peur de troubler la bonne harmonie qui doit regner entre les deux nations. "Ce traité, qui doit être considéré comme une des lois du Céleste Empire puis qu'il a été ratifié par le souverain, a du nécessairement être communiqué à tous les Magistrats du Kwang si par l'autorité supérieure de cette province, par le noble gouverneur lui même.

Cependant au mois de février 1856, c'est à dire, il y a déjà près de deux ans, un prêtre français le sieur Auguste Chapdelaine, un Apôtre de paix et de douceur, un homme qui consacrait sa vie à prêcher la charité envers les pauvres, l'obéissance et le respect à l'Empereur du Céleste Empire, l'oubli des injures et le pardon des offenses a été découvert et arrêté à Sin-hin-Kieng dans la province de Kwang si dont son Excellence le noble gouverneur est le chef Suprême revêtu d'une puissante autorité!....

L'infortuné français avait sans doute manqué à l'une des prescriptions du traité, il avait fait une faute en s'introduisant dans le Pays, rien n'est plus vrai: mais cette faute même avait été prévue

par le traité, puis qu'il prescrit que tout Français qui l'aurait commise serait arrêté et remis à l'un des Consuls de sa nation, sans qu'il eût à éprouver aucune injure ni à souffrir le moindre outrage.

Au lieu d'obéir à cette injonction formelle du traité et de tenir ainsi une conduite aussi conforme aux ordres de l'Empereur de la Chine qu'aux sentiments d'humanité, le magistrat de Si-lin-Kiang a fait charger de fers le malheureux français, il l'a fait conduire à son prétoire, où il a été étendu par terre, frappé au visage, accablé de coups, et rapporté presque mourant dans la prison de la Ville. Deux jours après, le même magistrat a fait subir à cet infortuné le supplice de la chaine de fer; le lendemain il l'a fait enfermer dans la cage des grands criminels, et enfin le 25 février, il a fait trancher la tête au pieux Missionaire qui, dans ce moment suprême, priait sans doute pour l'homme qui, sans aucun motif, et ait donné si cruel envers lui. Le noble Gouverneur général n'ignore pas que l'un des préceptes de notre sublime religion veut qu'il en soit ainsi.

Ce n'est pas tout! Le magistrat de Si-lin-kiang a fait jeter dans la rue la tête du malheureux français, il la livrée aux animaux immondes, et pendant que de pourceaux s'en repaissaient, les bourreaux de la victime lui arrachaient le cœur

et le dévorairent de leurs cités!

En apprenant les détailes d'un aussi horrible forfait, en connaissant la violation formelle du traité de Nanpoa, le noble Vice Roi, le chef suprême de cette province du Kwang-si, que l'un des magistrats ses subordonnés déshonorait aux yeux du monde civilizé ne devait-il pas punir immediatement l'auteur de ces atrocités, et offrir spontanément à la France la réparation qui lui était due si justement. Ne pouvait-il pas le faire d'autant plus aisément, que le coupable se trouvait placé dans les limites de sa haute juridiction, et qu'en ne le punissant pas, le noble dignitaire chef suprême de la province du Kwang-si pouvait faire croire aux méchants qu'il ne desapprouvait pas la conduite du magistrat de Si-lin-hien?

Châtier le coupable et offrir une réparation à la France, eut été agir avec autant d'équité, que d'esprit et de sagesse, c'eût été prouver au monde que l'on respectait les traités sanctionnés par la volonté de l'Empereur, et que l'on flétrissait avec énergie un acte de barbarie que la raison humaine se refuse à croire possible!....

Malheureusement il n'en a pas été ainsi. Le noble dignitaire gouverneur général des deux Kwangs, chargé en même temps des relations extérieures de l'Empire, n'a pris aucune initiative à ce sujet, il n'a répondu aux réclamations pressantes des représentants de la France

que par des lenteurs calculées, par des fins de non recevoir inadmissibles, par des phrases ambiguës ou dilatoires et pendant plus d'un an la légation de l'Empereur des Français en Chine, a renouvelé ses protestations et ses demandes de réparation sans jamais obtenir une réponse satisfaisante, et il faut bien le dire aussi, sans qu'un seul mot de regret de blâme ou de réprobation lui ait été adressé pour flétrir l'odieux attentat de Si-lin-kieng.

Le 28 Août de l'année dernière, sur le refus qu'a opposé le noble Vice-Roi, à l'insinuation qui lui avait été faite le 26 Juillet par la légation de France, d'offrir lui-même à cette puissance la juste satisfaction qui lui était due, une demande de réparation, dont les termes ont été clairement formulés, lui a été adressée par la Légation de l'Empereur en Chine et la réponse qui y a été faite a été malheureusement semblable à toutes celles qui l'avaient précédée.

Enfin, le 4 Avril de cette année, c'est à dire depuis plus de huit mois, une nouvelle tentative a eu lieu. Son Excellence Mr le Ministre Plénipotentiaire en Chine, Mr de Bourboulon, s'est encore adressé au noble Gouverneur des deux Kwang, et la réponse qu'il en a reçue a été aussi évasive, aussi affligeante que les autres. Tout porté à croire même que Son Excellence n'a jamais fait connaître à la Cour de Pékin, à l'Empereur, les justes plaintes de la France, et la dernière lettre que le noble Gouverneur général a écrite à ce sujet à Messieurs le Ministre de l'Empereur en Chine, sem-

semble prouver qu'il se refuse à le faire, bien que Mr de Bourboulon lui ait demandé avec instance de déposer ses plaintes aux pieds du trône d'où émane toute justice dans le céleste Empire.

Il n'est donc plus permis de douter que le noble gouverneur des deux Kwangs chargé des relations extérieures de l'Empire n'ait assumé sur lui toute la responsabilité de cette pénible affaire, et c'est en conséquence à lui que le soussigné s'adresse, puisque il ne peut pas en ce moment, se rendre à l'embouchure du Pei-ho!

Le soussigné doit encore avant de finir rappeler à Son Excellence le noble Gouverneur général la dernière demande de réparations qui lui a été présentée le 25 Août 1856 par la légation de France, demande qui fait connaître d'une manière précise les satisfactions qu'elle voulait obtenir à cette époque: mais en les établissant de nouveau, le soussigné doit y apporter quelques modifications.

Le soussigné demande donc au nom de son gouvernement: 1° La dégradation et l'exil du Magistrat Coupable du meurtre du Français Auguste Chapdelaine, Mentor Commis dans la ville de Si-lin-hien sur la quelle s'étend l'autorité suprême de Son Excellence le Gouverneur général des deux Kwangs.

2° Qu'une dépêche officielle lui soit adressée par Son Excellence pour lui annoncer que justice est faite.

3° L'insertion dans la Gazette de Pékin et en termes convenables du châtiment qui a subi le Magistrat de Si-lin-hien et du motif qui le lui a fait infliger.

4° L'insertion dans le même journal, et le même jour, d'un article destiné à faire comprendre à tous les fonctionnaires publics qu'ils s'exposeraient à subir un châtiment semblable à celui qui a souffert le Magistrat de Si-kiang, s'ils étaient assez mal inspirés pour agir comme il l'a fait.

5° Une indemnité pécuniaire raisonnable pour la famille de l'infortuné missionnaire.

6° Pour les Français et les protégés de la France, une indemnité pécuniaire équivalente aux pertes qu'ils ont éprouvées, ou par suite de l'incendie des factoreries par la populace de Canton ou par suite de déni de justice de la part des Autorités Chinoises.

7° Enfin, l'exécution pleine et entière de l'article 2 du Traité de Wampoa qui veut que les Français soient admis dans Canton et y soient protégés par les autorités locales comme ils le sont loyalement dans les quatre autres ports ouverts au Commerce Etranger.

Elles sont, noble gouverneur général, les demandes de réparation que le soussigné a mission d'adresser à Votre Excellence avant d'un mois à prier le gouvernement de Sa Majesté le grand Empereur des Cinq de vouloir bien désigner un ou plusieurs Plénipotentiaires avec lesquels il puisse s'entendre à l'amiable, et en vertu de l'article 35 du traité de Wampoa, sur les améliorations à apporter aux relations établies entre les deux Empires. Mais il est de son devoir de faire connaître à Votre Excellence que les temps des tergiversations

est passé. La conduite des autorités françaises au milieu des troubles qui ont agité l'Empire Chinois pensant ces derniers temps, et enfin plus d'une année de patience et de modération doivent suffire pour convaincre le gouvernement Chinois qu'il peut compter sur le bon vouloir et sur l'amitié de la France. Cependant l'honneur de cette dernière puissance exige que l'état actuel des choses cesse immédiatement et qu'une juste réparation lui soit accordée.

Le soussigné prie avec instance le noble gouverneur des deux Royaumes de réfléchir mûrement à la situation actuelle des affaires Européennes en Chine. Elles entrent aujourd'hui dans une nouvelle phase dont la gravité n'échappera certainement pas à l'esprit pénétrant de Votre Excellence.

Le gouvernement de l'Empereur des Français a droit à des satisfactions pour les griefs que ses nationaux ont éprouvé en Chine depuis près de deux années.

Celui de Sa Majesté Britannique réclame aussi depuis long temps et même aujourd'hui les armes à la main la satisfaction que la Chine refuse de lui accorder.

Dans cet état de choses, les deux gouvernements de France et d'Angleterre unis dans leur désir d'obtenir du gouvernement Chinois des réparations pour le passé et des garanties pour l'avenir, sont d'accord aussi entre eux sur les moyens à employer pour arriver au but qu'ils veulent atteindre.

Que le noble gouverneur se rende à l'évidence, qu'il cède à la France et à l'Angleterre, ce qu'il faudra bien qu'il leur accorde plus tard, et la paix et la prospérité renaîtront bien vite pour lui les populations confiées à ses soins, qu'il reconnaisse au contraire la marche que une politique habile devrait lui conseiller de suivre et des malheurs irréparables, peut être pourront surgir d'une situation violente qu'il n'aurait tenu qu'à lui de prévenir, ou que d'un mot il pourrait faire cesser.

Le soussigné attendra pendant dix jours encore, à compter de la date de la présente notification, que pleine satisfaction soit accordée aux demandes de la France et à celles qui ont été addressées à son Excellence le noble gouverneur général au nom de sa majesté Britannique par le haut commissaire et Plenipotentiaire de sa majesté la Reine de la grande Bretagne; et dans cette hypothèse les satisfactions accordées devront être assurées par des garanties matérielles suffisantes, telles par exemple que l'occupation de l'île d'Honan et des forts de la rivière de Canton, par les forces combinées de la France et de l'Angleterre, et cela jusqu'au moment où de nouveaux traités, ratifiés par les deux souverains, viendront donner une heureuse solution à toutes les questions pendantes entre la France et l'Empire Céleste; mais pour ne rien laisser dans le vague, le soussigné doit dire à son Excellence que le silence que l'on garderait envers lui serait traité dans le délai fixé, équivaudrait pour lui à un refus formellement exprimé.

D'un autre coté, comme ce qui s'est passé depuis deux années doit faire craindre au soussigné que le deni de justice que la France a enduré avec tant de resignation ne se prolonge encore, il se trouve dans la necessité de prendre, dès à présent, des mesures destinées à hâter la solution désirée, solution qu'il dépendra de son Excellence le noble gouverneur general de rendre facile et amicale, ou à laquelle son Excellence donnera un caractère dont le soussigné déplorerait d'autant plus vivement la gravité qu'il ne serait plus possible d'en atténuer les conséquences et qu'il serait probablement forcé d'ajouter encore de nouvelles demandes à celles qu'il vient de adresser plus haut au noble gouverneur general.

Le soussigné tient à déclarer en finissant que si dans le long exposé qui précède il se trouvait une pensée ou une expression qui fût de nature à froisser la juste susceptibilité du noble gouverneur des deux Kwangs, il la désavoue comme étant absolument contraire aux sentiments qui l'animent: le soussigné veut encore parler en ami, mais en ami sincère qui ne doit rien cacher, et qu'il serait heureux si sa franchise portait la conviction dans l'esprit du noble fonctionnaire au quel il s'adresse dans des circonstances toutes nouvelles dont il est impossible, il tient à le redire encore de méconnaître la gravité.

Quoi qu'il en soit, le soussigné saisit cette occasion pour offrir à son Excellence le noble gouverneur des deux Kwangs chargé de la direction des affaires étrangères du Celeste Empire, les vœux sincères qu'il fait pour sa félicité person-

personnelle et pour le bonheur du grand Empire qui le
compte au nombre de ses enfants les plus illustres.

Dispatch N°. 9. Ly 2e
13 Feb. 1858

Yé haut Commissaire Impérial
de la dynastie Ta-Tsing &c. &c.
adresse la réponse qui suit à Son
Excellence Mr. le Baron Gros, Com=
=missaire extraordinaire et Plénipotentiaire
du Grand Empire de France.

Le 27e jour de la 10e lune (le 12
Décembre 1857) j'ai reçu de Son Excellence
Mr. le Baron Gros, (Kó) une dépêche
datée du même jour, et j'en ai pris
connaissance.

J'ai éprouvé une vive satisfaction
lorsque j'ai su que Votre Excellence
était arrivée en Chine pour y traiter
des questions d'une haute importance.
Quant à ce que Votre Excellence dit
dans la dépêche au sujet de l'arres-
-tation du Missionaire Ma-Chao-Fu
(Mr. Chapdelaine) par le Mandarin
du district de Si-Lins dans la pro-
-vince de Kwang-Si j'en ai déjà
écrit à Mr. de Bourboulon, en lui
répondant, et j'ai envoyé à ce
Ministre le rapport du juge criminel
de la province de Kwang-Si, rapport
qui est ainsi conçu:

"Par suite de la dépêche dans la quelle
" Votre Excellence m'a donnée l'ordre de

faire

"faire une enquête sur la mort de Ma-
"Chen-Fu, j'ai l'honneur de lui dire que
"j'ai écrit immédiatement au magistrat
"de Si-Linn à ce sujet et qu'il m'a
"répondu ce qui suit:

"En cherchant dans les archives
"(celles de Si-Linn) conformément aux
"ordres que vous m'avez donnés, je n'ai
"trouvé aucun indice qui ait pu faire
"connoître que le prêtre Ma-Chen-Fu (M^r
"Chapdelaine) ni l'individu nommé
"Pa-ben, ni la veuve Agnes aient été
"ni arrêtés, ni battus, ni mis à mort par
"moi le 19e jour de la 1ère lune de la 6e an-
"née de Hien-Fong (le 24 février 1856) et
"ce jour là, personne n'a été détenu
"dans la prison. Mais voici ce qui s'est
"passé pendant le 2e lune de cette année
"(pendant le mois de Mars 1856):
"Me trouvant dans le village de Si-hiang
"pour le défendre et m'opposer à l'entrée
"des rebelles, dans la partie basse de ce vil-
"lage, le chef même du bourg de Ing-joung
"est venu me dire que le rebelle Ma-tzu-Hung
"et quelques autres y étaient arrivés et y
"faisaient entendre des paroles étranges
"pour séduire le peuple et l'engager à faire
"partie de la société de la Triade; que ces

"individus s'étaient livrés à toute sorte
"d'excès, en volant, en violent les femmes
"etc^a. etc^a.. En recevant cette déclaration du
"chef même de ce bourg, je suis parti sur
"le champ avec lui et avec les soldats
"pour chercher à m'emparer les coupables;
"mais je n'ai pu arrêter que Ma-tzu-mung
"les autres rebelles ayant pris la fuite.

"Ma-tzu-mung, interrogé par moi, a
"déclaré qu'il était né à Canton, qu'il
"appartenait à la même société que Lin-
"-pa et Tan-a-Lieou, que Lin-pa et ses
"associés étaient dans le district de Youn-
"-hien mettant le désordre parmi le peuple.
"Il a dit aussi qu'il s'était rendu à Si-lin
"pour y rassembler du monde, et gagner
"les adeptes à la société de la Triade, et il
"a avoué, enfin, avoir commis des vols
"et violé des femmes etc^a etc^a.

"Par suite de cette déclaration faite par
"le coupable et dans la crainte qu'un grand
"nombre de rebelles qui cherchaient à soule-
"-ver le peuple, d'autres révoltés ne vinssent
"se réunir pour causer plus de troubles
"encore, j'ai fait exécuter le coupable, et
"dans le rapport j'ai ~~fait~~ envoyé pour faire
"connaître la destruction des rebelles, j'ai
"parlai de cette exécution.

"Comme j'ai reçu l'ordre de rechercher
"tout ce qui a eu lieu dans cette occasion,
"je déclare que j'ai fait arrêter seulement
"le coupable Ma-tzu-mung, et que je l'ai
"fait exécuter. Mais le nom de cet indi-
"-vidu n'étant pas le même que celui de
"Ma-chen-fu (M.r Chapdelaine) que vous m'in-
"-diquez dans votre dépêche, et ces deux
"individus n'étant pas non plus du même
"endroit, je ne crois pas possible que l'on
"prenne l'un pour l'autre.

"Je vous prie de vouloir bien trans-
"-mettre cette déclaration à S.E. le Vice Roi
"des deux Kwangs."

"Ce rapport du Magistrat de Si-Lien
"etant parvenu entre mes mains, il me
"reste à le transmettre à Votre Excellence
"pour qu'Elle l'examine, et qu'Elle prenne
"le parti qui lui paraîtra convenable."—

C'est apres avoir reçu cette declaration
que m'a été transmise par le juge cri-
-minel de la province de Kwang-si, que
j'ai écrit à M.r de Bourboulon ainsi, que
mes archives le prouvent.

La religion Chretienne a pour principe
d'encourager les hommes à la pratique
du bien! L'article 23 du traité dit qu'il
sera permis aux autorités Chinoises d'ar-
-rêter

=ciers tous ceux (les étrangers) qui fran=
=chiraient les limites convenues, et qui
s'introduiraient dans le pays, et il
veut, que dans ce cas, les personnes
arrêtées soient remises à leur consul le
plus voisin pour qu'il veille sur elles.
Il defend aussi aux autorités Chinoises,
quelles qu'elles soient, et aux gens du
peuple, de battre ou de maltraiter ces
personnes arrêtées, mais les sujets de
votre noble empire enfreignent souvent
cette clause du traité; bien des fois ils
ont outrepassé les limites assignées, et
ils se sont introduits fréquemment
dans l'intérieur du pays, pour y prêcher
le Christianisme. Ainsi, dans la 8e=
lune de la 26e= année de Tao-Kwang
(en Septembre 1846) deux missionaires
nommés Ko-pi-io-tso-ko ( ) et
Va-ti-su-la ( ) ont été recon=
=duits depuis le Thibet jusqu'a Canton.
Dans la 12e= lune de la 28e= année
(en decembre 1848 ou Janvier 1849) un
autre missionaire nommé Lo-ki-tchen
(M.r Renou) a été dirigé du Su-tchouan
sur Canton.
Dans la 11e= lune de la 30e= année (en Jan=
=vier 1850) deux missionaires nommés
Ni-ki-li-li-ouo

Ri-ki-li-li-oua ( ) et Lin-ka-li
( ) ont été reconduits de la Mon-
-golie dans la province de Canton.
Dans la 4e lune de la 1ère année de
Hien-Fong (en Mai 1850) un autre mis-
sionnaire nommé Hong-to a été ramené
du Kiang-si à Canton.
Dans la 9e lune de la 5e année (en No-
vembre 1855) un autre missionnaire, nom-
mé Jacquemain (Mgr de Jundu) a été
reconduit de Kia-ing-tchou à Canton.
Enfin, dans la 4e lune de cette année
(Mai 1857) un missionnaire français
dont le nom n'a pu être connu quelles
que fussent les questions que l'on ait ad-
-dressées à cet individu, a été reconduit
de Jen-hoa à Canton.
Tous ces missionnaires ont été remis
aux Consuls de leur noble Empire, comme
la preuve en existe dans les archives
et en renvoyant ainsi à leurs Consuls,
et sans exception, tous les missionnaires
français qui s'étaient introduits dans
le pays, dès qu'à la suite d'une enquête
il a été reconnu qu'ils appartenaient à
la France, nous avons donné la preuve
de la manière équitable dont nous nous
conduisons.

La

La province de Kwang-Si n'étant pas ouverte aux étrangers, s'y introduire c'est franchir les limites fixées; c'est s'interner dans l'Empire. Si Ma-Chen-Fu (Mr. Chapdelaine) quand il a été arrêté, avait été reconnu pour Français, on n'aurait pas manqué de le reconduire à Canton, Mais d'après le rapport fait par le juge criminel de Kwang-Si, il est dit que le Magistrat de Si-lim avait arrêté un rebelle nommé Ma-tzu-nung qui avait déclaré être de Canton, et non de France, et que ce rebelle, interrogé de nouveau, avait avoué qu'il avait violé des femmes, et commis des vols dans les villages. Si le rebelle Ma-tzu-nung avait été le même individu que Ma-chen-fu (Mr. Chapdelaine) lorsqu'il a été traduit devant le tribunal, il aurait déclaré qu'il était français d'autant plus volontiers que la religion Chrétienne qu'il exerce a pour objet de porter les hommes à la pratique du bien. En outre, comme il y a eu des vols et des larcins avoués par le coupable, actes qui ne peuvent pas être commis par ceux qui professent la religion Chrétienne, il est évident que la personne arrêtée

arrêtée ne pouvait pas être Ma-Chen-Fu.
Je conclus de tout ce qui précède que
Mr de Courcy a été mal informé au su-
-jet de cet affaire, et je ne crois pas
devoir m'occuper du coupable Ma-tzu-Mung.

Quant à ce que Votre Excellence dit
dans sa dépêche à propos d'indemnités
raisonnables à donner par la Chine aux
sujets de sa noble nation, et à ceux
qu'elle protège, pour les pertes qu'ils ont
éprouvées dans l'incendie des factore-
-ries de Canton, en consultant les
archives, j'ai vu que dans la 9e lune
de l'année dernière (en Octobre ou Novembre
1856), lorsque les Anglais, sans y être
provoqués, ont fait avancer leur
troupes, ils ont incendié des milliers,
et des milliers de propriétés près de la
porte ou de la douane occidentale. Il
n'est personne qui n'ait été le témoin
oculaire de cet acte, et tous les étrangers
savent parfaitement que ce sont les sol-
-dats anglais qui ont brulés ces propre-
-étés. C'est donc aux Anglais que les étran-
-gers doivent adresser leur demandes
d'indemnité, et j'ai entendu dire même
que le consul Anglais (Mr Parkes) avait
déjà consenté à réparer ces dommages
aux quels

aux quels le gouvernement Chinois est absolument étranger.

Quant à la demande que fait Votre Excellence pour qu'en vertu de l'article 35 du traité, Sa Majesté l'Auguste Empereur veuille bien nommer de nouveaux Commissaires qui viennent à Canton &c. &c. je dois faire observer à Votre Excellence que le traité signé dans la 25ème année de Tao-Kwang (en 1845) entre les deux Empires a été conclu par l'auguste prédécesseur de l'Empereur actuel comme étant un traité de paix pendant une période de dix mille années afin de maintenir perpétuellement l'harmonie entre les deux Empires, sans qu'il soit nécessaire d'en modifier les dispositions à aucune époque. Depuis la conclusion de ce traité, le commerce de la Chine avec les nations étrangères a procuré à tout le monde de grands avantages dus à ce même traité; il est donc évident qu'il a été sagement établi, et l'Empereur qui règne, sachant que ce pacte de dix mille années a été fait et sanctionné par son auguste père, ne consentira pas à le modifier. Or, puisque

aucun

aucun fonctionnaire Chinois, quelque soit son rang ne veut et n'ose aujourd'hui agir ou penser contre la volonté de l'Empereur, Comment me serait-il possible de demander à Pekin que l'on nommât de nouveaux négociateurs pour qu'ils eussent à discuter les ordres augustes de sa Majesté? Telle est, à ce sujet, la simple explication que j'ai l'honneur de donner à Votre Excellence, et sans y attacher la moindre arrière pensée.

Relativement à ce que me dit Votre Excellence sur les exigences de l'Angleterre envers la Chine, j'ai à lui faire observer, que dans la 9e lune de l'année dernière (en Octobre 1856) les anglais, sans aucun motif, provoquèrent mille désordres, firent feu de leur artillerie contre la ville de Canton, attaquèrent les forts situés dans les environs, et brulèrent un grand nombre d'édifices dans plusieurs endroits. En voyant ainsi que la Chine a été attaquée sans motifs par l'Angleterre, les nations étrangères peuvent juger par elles-mêmes de quel côté se trouvent tous les torts.

Dans la 10e lune de l'année dernière (en Novembre

(en Novembre 1856) lorsque le Comte de Courcy m'a écrit officiellement qu'il n'avait pas à se mêler des guerres que notre Empire pouvait avoir avec d'autres nations, il m'a donné une preuve de sa haute intelligence, et de son esprit de justice, en ne voulant pas, ainsi, intervenir dans les querelles de l'Angleterre.

Je pense donc que Votre Excellence qui doit bien mieux comprendre que lui encore la raison et l'équité, ne tiendra certainement pas un autre langage que celui du Comte de Courcy et j'espère que Votre Excellence ne prêtera pas l'oreille aux paroles séduisantes (signifie aussi intrigantes) que lui feront entendre les personnes qui peuvent l'approcher (les anglais) paroles qui pourraient peut-être l'entraîner à agir d'une manière qui ne serait pas conformé entout aux sentiments de rectitude qui distinguent Votre Excellence.

Quant à l'île de Honan, comme elle est habitée par une foule de gens insubordonnés, et que les forts des environs ont été construits avec l'argent du peuple pour le défendre contre les pirates et les

et les voleurs, si les troupes de votre noble Empire s'établissaient sur l'île et dans les forts dont il est question, je craindrais qu'il n'en résultât de graves désordres. J'en préviens Votre Excellence, car il ne faut pas qu'Elle puisse me reprocher de ne pas l'avoir avertie d'avance, et de ne pas avoir fait tous mes efforts pour protéger les sujets de sa noble nation.

J'ai entendu dire, que, dans le noble Empire de Votre Excellence, on est dans l'usage d'adorer le Dieu du ciel (l'esprit celeste) et que, chaque septième jour, on lui rend des actions de grâce, ce qui fait que Votre Empire jouit depuis de longues années d'une grande réputation de justice et d'honnêteté.

Lorsque enfin Votre Excellence me dit que si, dans la dépêche qu'Elle m'a écrite, il se trouvait une parole, ou une pensée qui parut blessante pour moi, Elle déclarait que ce serait absolument contraire à ses intentions, Elle me prouve le désir qu'Elle a de maintenir l'amitié et la bonne harmonie qui existent entre La Chine et La France, et moi, le haut dignitaire, n'ayant d'autre ambition

ambition que de conserver cette paix et cette bonne harmonie entre les deux nations; s'il se présente quelques affaires à traiter qui se rapportent à leur intérêt commun, j'aurai aucune difficulté à m'en occuper ainsi qu'il conviendra.

Je m'estimerai heureux si Votre Excellence ne se laissait pas séduire par des paroles vaines qui ne peuvent jamais amener que de pénibles différends.

Voila ce que j'ai à répondre à Votre Excellence, en lui souhaitant en même temps toutes sortes de prospérités.

La dépêche ci-dessus est adressé à Son Excellence Monsieur le Baron Gros (Kó) Commissaire extraordinaire et Plenipotentiaire du Grand Empire de France le 29e jour de la 10e lune de la septième année de Hien-Fong (le 14 Décembre 1857)

Dépêche N°. 9 - Cy 2me
13e Fév. 1858

Yé, Haut Commissaire Impérial de la dynastie Ta-Tsing répond ce qui suit:

Le 9e jour de la 11e lune (le 24 décembre 1857) j'ai reçu une dépêche de V.E. en date du 8e jour de la même lune (le 23 décembre 1857) et j'ai pris connaissance de son conte=
=nu

La question de Ma Chen Fu (le sieur Chapdelaine) a déjà été, pour moi, clai=
=rement expliquée à V.E. par ma dernière réponse, dans laquelle je lui ai trans=
=mis le rapport que le juge criminel de la province de Kwang-si m'avait envoyé pour me faire savoir que le Magistrat de Si-Lien n'avait ni arrêté, ni battu, ni mis à mort Ma-Chen-fu. (le sieur Chapdelaine)

V.E. me dit, dans sa dernière dépêche, que je me suis servis d'expressions évasives, et qu'il serait inutile de discuter plus long temps sur cette affaire. Elle ajoute en=
=core que lorsque Ma-Chen-Fu a été arrêté, bien qu'il ait déclaré sa nationalité, le Magistrat (de Si Lien) a voulu exiger de lui 400 taels pour lui rendre la liberté, ou au

moins 150, puisqu'il n'avait pas la première somme demandée. A la lecture de cette dépêche, j'ai remarqué qu'elle était entièrement différente de toutes celles que j'ai reçues antérieurement de Mr. de Courcy et de Mr. de Bourboulon. Dans les notes qu'ils m'ont adressées, pour me faire connaître les détails de cette affaire, ils ne m'ont jamais dit, que le magistrat de Si-Linn eut exigé de l'argent de Ma-chen-pu (le sieur Chapdelaine), V.E. ne m'en a pas parlé non plus dans sa précédente note, Comment se fait-il donc qu'Elle me cite aujourd'hui cette demande d'argent, adressée à Ma-chen-pu (le sieur Chapdelaine?). On peut voir par ce fait, et il le prouve clairement que V.E. est souvent mal informée. Outre cela, lorsque le Gouvernement Chinois traite une affaire, il n'agit pas légèrement. Si réellement le fait avait eu lieu, je n'aurais jamais maintenu en place un magistrat aussi vénal, et aussi dangereux pour le pays. En voyant maintenant, par suite de recherches que le fait n'a pas eu lieu, comment pourrai-je l'admettre comme vrai?

(Dans votre dépêche du 27e jour de la 11e

lune (le 2 décembre) V. E. me dit qu'Elle ne veut pas me laisser dans l'incerti=tude, mais je vois qu'Elle-même, n'étant pas absolument certaine du fait, ne peut pas le considérer comme réel. Pourquoi donc alors mêlais-je de tergiversation, et de paroles évasives?

Je prie V. E. de vouloir bien réfléchir que si l'individu arrêté n'est pas un de ces Français qui exhortent les hommes à la pratique du bien, mais, au contraire, un malfaiteur, né à Canton, qui se fait violence aux femmes, et commet=tait des vols, il n'y a aucun motif pour nous, d'accorder des séparations, qui ne sont pas prévues par le traité, et d'autant moins que le malfaiteur est né dans le pays.

Quant à ce que V. E. me dit dans sa dé=pêche, que mon aveuglement ne me per=met pas d'accéder aux demandes (des deux puissances), j'ai l'honneur de lui répondre que, puisque V. E. désire se maintenir en bonne harmonie et en paix avec la Chine, il me semble qu'Elle ne voudra se servir d'expressions sem=blables dans ses dépêches, et qu'Elle ne permettra pas que l'on exprime ainsi.

Elle voudra encore que l'écrivain soit plus soigneux et plus exact.

C'est tout ce que j'ai à dire à V.E. en lui souhaitant, en même temps, le plus prochain bonheur.

Le 10e jour de la 11e lune de la 7e année de Hien-Fong (le 25 Décembre 1857)

Dispatch N. 9. Enc. 2
15th Feb. 1858

Le Soussigné Commissaire extraordinaire et Plénipotentiaire envoyé en Chine par S.M. l'Empereur des Français, a reçu, le 15 de ce mois la lettre que son Excellence le noble Gouverneur des deux Kwangs chargé des relations extérieures de l'Empereur, lui a fait l'honneur de lui écrire, le 14, pour répondre à la note que le Soussigné avait adressé à S.E. le 12 du même mois.

En lisant avec la plus grande attention la réponse qu'il vient de recevoir de S.E. le Soussigné a été profondement affligé de la légèreté avec laquelle les graves affaires du moment y sont traitées, et il a de la peine de concevoir, il l'avoue, comme un document de cette nature a pu lui être envoyé.

Quoiqu'il en soit, et sans entamer une discussion inutile sur le contenu de la Note qu'il vient de recevoir, le Soussigné croit devoir s'arrêter sur un seul fait, et il veut, en le rappelant, donner la mesure de tous les autres.

Le noble Gouverneur, en parlant du Magistrat de Sin-Linn, qui a fait exécuter publiquement devant son tribunal un pau-

= vue Missionnaire Français qui avait inutilement invoqué sa nationalité, et auquel le magistrat a fait trancher la tête parceque l'infortuné Français ne pouvait pas lui donner les 400 Taels qu'on exigeait d'abord de lui, ni même les 150 dont le magistrat se serait contenté à la à la fin, pour ne pas le mettre à mort, a le courage de dire à M. de Bourboulon, dans la dépêche qu'il a écrite à ce Ministre le 12 de ce mois que ce même Magistrat, (Connu partout le monde comme le meurtrier du Missionnaire dont il s'agit) ayant été interrogé à ce sujet, et ayant déclaré qu'il n'avait pas commis ce meurtre, il était évident que le meurtre n'avait pas eu lieu! et à cette incroyable assertion le Noble Gouverneur ajoute que "par conséquent il "juge que le ministre de France a été mal "informé, et que lui le Gouverneur général "trouve dès lors qu'il n'y a plus à s'occuper "de cette affaire".

Depuis quand donc, et dans quel pays la dénégation d'un crime par celui qui l'a commis est elle la preuve évidente que ce crime n'existe pas? Toute réflexion est inutile à ce sujet.

Du reste, la note toute entière du Noble

Gouverneur n'étant qu'un document dérisoire qui ne répond à rien, et, il faut bien le dire, qui n'est pas digne du haut fonctionnaire dont il émane, et encore moins de celui auquel il est adressé, le Soussigné doit se borner à rappeler au Commissaire Impérial le passage suivant extrait de la Note que S. E. a reçu le 12 de ce mois:- "Le Plénipotentiaire Français "doit dire à S. E. que le silence qu'on garderait "envers lui, ou la réponse évasive au dila- "toire, qui lui serait faite équivaudrait à un refus nettement exprimé."

La réponse du Gouverneur Général, reçue le 15 de ce mois, n'étant pas sérieuse, et ne contenant que des paroles évasives, sans qu'il soit fait droit aux demandes de la France équivaut à un refus formel, et dès lors le devoir du Soussigné est d'informer le Gou- verneur Général des deux Kissangs, qu'à par- tir d'aujourd'hui 23 Decembre, jour ou a expiré le délai fixé pour recevoir une ré- ponse satisfaisante, qui n'est pas arri- vée, la solution de la question actuelle est remise entre les mains des Commandants en Chef des forces alliées de la France et de l'Angleterre qui pourront, dès qu'ils le jugeront convenable, employer des mêmes

de rigueur pour obtenir enfin la juste réparation que dans son avenglement le noble Gouverneur général n'a pas voulu donner aux deux Puissances, tout qu'elles ne lui ont fait entendre qu'un langage conciliant et amicable.

Le Soussigné saisit cette occasion pour renouveler à S.E. le Gouverneur général des deux Royaumes l'assurance de ses sentiments distingués

Pour copie conforme
(Signé) Bon Gros

Despatch N:9. Cop 2°
13e Feb. 1858

Ici les titres des deux amiraux Français et Anglais, et ceux du général Straubenzée.

Les Soussignés ont l'honneur de faire connaître à L.L. E.E.

Yé gouverneur général des deux Kwangs.
Pih-kwé Gouverneur de Canton
Shang-hi Général des Mandchoux, et
Kwang-lin Général des Han-kiun, que LL. E.E. les plenipotentiaires extraordinaires de France et d'Angleterre leur ayant fait savoir que les négociations qu'ils avaient entamées avec le Commissaire Impérial Yé s'étaient terminées sans avoir amené un résultat satisfaisant, ils le requé-=raient de prendre les dispositions nécessaires pour faire occuper la ville de Canton par les forces sur leurs ordres.

Les Soussignés voulant épargner autant que possible, la vie et les propri-=étés des habitans de Canton ont résolu d'attendre encore pendant quarante huit heures avant d'en venir à attaquer la ville, et, ce délai, ils l'accordent, afin de donner aux autorités militaires, et aux troupes Tartares et Chinoises de toute classe le temps d'évacuer la ville. Elle

pourrait être ainsi occupée sans effusion de sang par les troupes alliées, l'existance de les habitans ne serait pas compromise, et leurs propriétés seraient respectées.

Si les hautes autorités, aux quelles les Soussignés s'adressent, jugeaient à propos D'accéder aux propositions qui leur sont faites, Elles agiraient sagement, en faisant connaître leur adhésion aux Soussignés, au moyen d'une lettre qui devrait leur être envoyée dans les quarante huit heures qui suivront la douzième heure d'aujourd'hui, et en déclarant, en même temps, dans quel lieu, éloigné au moins de 30 miles de Canton, et par quelle route ces autorités militaires, et ces troupes auraient l'intention de se retirer.

On fera connaître au fonctionnaire qui apportera la réponse de LL. EE. dans quel endroit, et a quelle heure, les officiers des forces alliées devront se trouver pour recevoir les clefs de la ville, et on lui indiquera aussi les mésures qu'il serait utile pour maintenir la paix dans la ville, et pour la sauver.

Si les conditions proposées ci-dessus ne sont pas acceptées, et, mises à exécution la ville sera attaquée

Pour copie conforme
Bon Gros

Despatch n. 4- Cp. 2
13 Fb. 1858

Kó (le Baron Gros) haut Commissaire Impérial nommé par le grand Empire de France, Ambassadeur extraordinaire muni de pleins pouvoirs, et Baron héréditaire,

Gó (Lord Elgin) Haut Commissaire Impérial, specialement nommé par le grand empire d'Angleterre, Ambassadeur extraordinaire, muni de pleins pouvoirs, et Comte d'Elgin et Kincardine,

Sy (l'Amiral Seymour) Vice Amiral Commandant en Chef les forces de S. M. Britannique dans les mers de l'Indo-Chine,

Ly (l'Amiral Rigault-de Genouilly) Contre Amiral Commandant en Chef la division Navale de France dans les mers de l'Indo Chine,

Szw (le general Straubenzée) Major General Commandant les forces expéditionnaires de S. M. B en Chine:

Portent la présente proclamation a la connaissance de tous:

Le haut dignitaire Yé ayant traité les affaires très mal, ainsi que les archives le constatent, et nous ayant mis dans la pénible nécessité de faire agir nos troupes, et les Amiraux des deux Empires ayant réuni

leurs forces et attaqué la ville de Canton, nous avons décidé que cette ville serait rendue aux autorités compétentes, dès que les questions qui existent entre le Gouvernement Chinois et la France et l'Angleterre auraient été légalement délibérées et auraient reçu une solution convenable; et bien que nous ayons arrêté et gardé entre nos mains le haut dignitaire Yé, parceque nous ne voulons pas qu'il exerce le Pouvoir, comme en nous établissant dans la ville, nous désirons sincèrement que la personne et la propriété de tous ses habitans soient respectées, sans qu'elles puissent recevoir le moindre préjudice, et comme nous voulons aussi que dans les mesures à prendre pour atteindre ce but, rien ne soit changé aux habitudes et aux usages du peuple, et qu'il n'éprouve ainsi ni contrainte ni difficulté, nous faisons savoir, par cette proclamation, à tous les habitans de l'intérieur et de l'extérieur de la ville, que nous désirons que S.E. le haut dignitaire Pèh continue à exercer ses fonctions de Gouverneur de la Province, et qu'il vienne en aide au gouvernement actuel lorsque les circonstances l'exigeront, et à cette fin nous avons déterminé que toutes les affaires qui ne concerneront

que des Chinois seront jugées par le dit Gouverneur, et que celles dans lesquels les étrangers seront seuls intéressés, ou qui auront lieu entre des Chinois et des étrangers, seront jugées de concert avec les autorités que les hauts fonctionnaires et les Amiraux ont nommées à cet effet, et qui résideront au palais du Gouverneur pour la meilleure expedition des affaires.

Que tout le Monde doit instruit de ces dispositions et n'y contrevienne en aucune manière, ce que nous ordonnons formellement par la présente proclamation

Le 25ième jour de la 11ième Lune de la 7ième année de Hien-Fong

(10 Janvier 1858)

Pour copie conforme

(Signé) Bon Gros

Fr.

Dispatch N°. 9. Ex. 2d
13 Feb. 1858

Mission Extraordinaire
de France
en Chine. — Canton le Février 1858.

A S.E. le premier Ministre de l'Empereur de la Chine à Pékin (titres selon la formule)

Le Soussigné, nommé Ambassadeur Extraordinaire de S.M. l'Empereur des Français près le grand Empereur des Tsings, et muni de lettres qui l'accreditent en cette qualité auprès de l'auguste souverain du Céleste Empire; porteur également de pouvoirs qui lui ont été conférés en qualité de Commissaire et Plénipotentiaire pour regler les differends qui existent entre les deux nations, et chercher à rendre plus utiles aux sujets des deux Empires les rapports d'amitié, de commerce et de navigation établis entre eux par les traités et par les progrès de la civilization, a l'honneur d'annoncer à S.E. le Grand Dignitaire, premier ministre, &c. &c. qu'il est arrivé dans la rivière de Canton, il y a déjà quelque temps, et qu'après y avoir reçu

reçu des autorités françaises dans ces parages tous les renseignements dont il pouvait avoir besoin pour connaître l'état des choses, et savoir si enfin le Vice Roi des deux Kwangs avait fait droit aux justes demandes de réparation que la France avait présentées depuis longtemps au Gouvernement Chinois, il avait appris avec le plus vif regret que des réponses dilatoires, ou un silence prolongé avaient toujours été opposés aux réclamations si modérées du Ministre de France par le Commissaire Impérial Yé, chargé par l'Empereur des relations —"— Extérieures du Céleste Empire.

Dans cet état de choses, voulant encore donner à la Chine une preuve de l'esprit conciliant qui anime le Gouvernement de l'Empereur des Français, et du désir qu'il éprouve de maintenir la paix entre les deux Empires, le Soussigné s'est adressé au Commissaire Impérial Yé, parceque la saison trop avancée ne lui a pas permis de se rendre au Peiho, où il avait l'ordre de se présenter, et en écrivant à Yé pour lui faire connaître l'objet de sa mission, il ne lui a pas laissé ignorer quelles seraient les conséquences inévitables de son silence, de

son

son refus, ou des réponses évasives qu'il ferait aux notes qui lui étaient envoyées.

Pour que le noble premier ministre etc, etc. connaisse exactement les faits qui ont précédé et amené la prise de Canton, et qu'il ne puisse pas avoir de doute sur la cause des graves événements qui viennent de s'accomplir, le Soussigné lui envoie, ci joint, une copie de la correspondance qui a eu lieu entre lui et le Commissaire Impérial Yé, et une copie aussi des sommations et des proclamations des Commandants en Chef, documents qu'il serait d'une haute importance de mettre sous les yeux de l'auguste souverain de l'Empire auquel la vérité toute entière doit arriver.

Yé ayant, par les réponses dérisoires qu'il a faites, obstinément refusé de donner satisfaction aux demandes justes et modérées qui lui ont été addressés par la France et par l'Angleterre, d'accord entre elles sur les moyens à employer pour obtenir justice et le terme qui lui avait été assigné pour y faire droit étant expiré, les forces françaises, réunies à celles de l'Angleterre, ont attaqué la ville le 28 decembre de l'année dernière, et s'en sont emparé le 29.

Le

Le premier soin des —
plenipotentiaires et des Commandans des forces
alliées, le noble dignitaire le sait déjà, sans
doute, a été de protéger la vie et les propriétés
de ses habitans inoffensifs, sacrifiés au fol
orgueil de celui qui devait être leur —
protecteur. Quelques jours après la prise de la
ville, Yé, le Gouverneur Pih-kuei, et le général
tartare ont été arrêtés eux mêmes par les
forces alliées, et aucun mal ne leur a été fait;
ce ne sont pas les Européens qui mettent à prix
la tête de leurs ennemis. Tous les égards dus
au malheur et au rang de ces grands dignitaires
leur ont été prodigués, mais yé, la cause
première de tout le mal, a été éloigné de
l'Empire où il ne rentrera que lorsque la
cour de Pékin aura donné les réparations
qu'elle doit et aura consenti à rétablir sur
des bases plus larges que celles qui existent
en ce moment les relations officielles, entre la
Chine d'une part, et la France et l' —
Angleterre de l'autre, relations que —
l'aveuglement de Yé a compromis d'une
manière si douloureuse.

Le yamoun de yé n'existe
plus, une partie de ses archives, le trésor,
les arsenaux de Canton sont entre nos

mains,

mains, et le Vice-roi pleure maintenant, dans un exil temporaire, la folle conduite qui a causé tant de mal à ses administrés.

Quant à L.L. E.E. le Gouverneur Pih-Kwé et le général tartare que j'ai avait trompés en ne leur faisant connaître ni les justes demandes des alliés, ni leurs sommations, ni le temps qu'ils accordaient aux principales autorités de Canton, pour chercher les moyens d'entrer en arrangements, ces deux grands dignitaires inspirés par un sentiment de patriotisme, qui leur fait honneur, ont consenti à aider les commandans en Chef des forces alliées à maintenir l'ordre dans la ville, à y ramener la confiance, à la sauver du pillage, et à chercher ainsi à la conserver intacte pour le moment où les alliés pourront la remettre entre les mains des délégués de l'Empereur.

Ces hauts fonctionnaires ont été rendus à la liberté, et rétablis dans leurs yamouns, où ils administrent la justice, et d'où ils maintiennent l'ordre dans la ville.

La tranquillité s'y trouvant rétablie, le blocus étant levé, le commerce y ramenant l'abondance, et ses habitans s'accoutumant

s'accoutumant déjà à voir avec plaisir, et avec profit pour eux, les étrangers qui les aiment et les traitent bien, ne tarderont pas à voir qu'on les a trompés en les leur représentant comme leurs ennemis, et qu'au lieu de les fuir et de les craindre, comme ils en avaient reçu l'ordre, ils ont tout à gagner à établir avec eux les relations les plus amicales.

Dans cet état de choses, les plénipotentiaires de France et d'Angleterre ont jugé que le temps était venu de donner suite à la mission qu'ils ont à remplir, et le soussigné d'accord avec son honorable collègue d'Angleterre, voulant faire encore tout ce qui dépend de lui pour éviter que les malheurs qu'entraîne toujours l'emploi de mesures coercitives ne s'étende à d'autres provinces de l'Empire, a pris, de concert avec le plénipotentiaire de S. M. B., la détermination de suspendre les hostilités et de s'adresser directement à la cour de Pékin pour qu'Elle veuille bien nommer des agens diplomatiques d'un rang égal à celui des plenipotentiaires des deux nations, et leur donner l'ordre de se rendre dans la ville de Shanghai, à la fin du

mois

mois de Mars de cette année, pour y rejoindre les plénipotentiaires de France et d'Angleterre, qui s'y trouveront à la même époque, ou qui ne tarderont pas à y paraître.

Mais pour ne rien laisser dans le doute, et pour agir envers le haut dignitaire, premier ministre &c. &c. avec la même loyauté dont on a usé envers yé, le soussigné doit dire a S.E. qu'il faut que les hauts dignitaires, nommés par l'Empereur, soient munis des pleins pouvoirs nécessaires pour accorder non seulement les réparations que le Commissaire Impérial yé a refusé de donner, et qui, pour la France, pourraient être légèrement modifiées, s'il le fallait; mais encore pour regler les indemnités des frais de guerre destinés à couvrir les dépenses que yé a obligé les alliés à faire, et qui, il en a été prévenu d'avance, doivent être à la charge du trésor de l'Empire, puisque les Alliés ont été forcés de faire usage de leurs armes. Il faut enfin que ces mêmes dignitaires puissent s'occuper aussi de quelques améliorations indispensables à apporter aux relations légales interrompues par les

événements

événements actuels, relations que, le soussigné n'en doute pas, ne tarderont pas à prendre un nouvel effort au grand avantage des populations respectives.

Que le noble dignitaire réfléchisse sérieusement aux événements qui viennent de se passer. Si, comme cela se pratique dans tous les Empires de l'Occident, un dignitaire d'un caractère honorable, et revêtu de la confiance de son souverain, eut résidé dans la ville capitale comme Ministre plénipotentiaire de France ou d'Angleterre, ou s'il avait pu, quand il l'aurait jugé convenable ou utile, y arriver, pour présenter respectueusement ses plaintes à l'Empereur et demander justice, la catastrophe de Canton n'aurait pas eu lieu, l'Empereur aurait connu toute la vérité, la paix n'aurait pas été troublée, et l'une des plus grandes villes de l'Empire ne se trouverait pas en ce moment occupée par les troupes Européennes. Il est donc dans l'intérêt du Gouvernement Chinois lui-même, bien plus encore que dans celui des nations étrangères, de remédier à un état de choses aussi dangereux, et il ferait sagement de se mettre sous ce rapport au

niveau

niveau des puissances civilisées de l'Occident en permettant que les plaintes et les réclamations puissent arriver directement aux pieds de l'Empereur par l'entremise d'hommes honorables résidant à Pékin, ou au moins pouvant s'y présenter, lorsque de graves intérêts l'exigeraient. Cette question est à resoudre.

L'exemple de Shanghai et des ports ouverts au commerce, dans lequels les Chinois et les étrangers vivent en bonne intelligence, s'estiment et s'aiment d'autant plus qu'ils se connaissent mieux, ne doit pas être perdu, et les avantages considérables dont profitent ces villes, leurs habitants et leur territoire, peuvent être accordés à d'autres populations dignes d'en jouir.

Le commerce illégal qui se fait sur une vaste échelle dans des ports non ouverts au commerce étranger, prouve, au détriment du trésor impérial qui n'en retire aucun bénéfice, combien est illusoire la tentative de restreindre le commerce aux cinq ports nommés dans les traités.

Le noble dignitaire sait que malgré la défense formelle imposée aux étrangers de s'introduire dans l'intérieur du

du pays, il est presque impossible de faire exécuter cette clause des traités, et que tous les étrangers qui entrent clandestinement dans l'Empire doivent, sans être maltraités en aucune manière, être remis entre les mains du consul de leur nation dont le domicile est le plus rapproché du lieu où ils ont été arrêtés. De là résultent souvent de graves complications, et, lorsqu'il se trouve, comme le soussigné en a malheureusement un exemple douloureux à citer, un magistrat prévaricateur, tel que celui de Li-lin-hieng, qui a fait torturer et mettre à mort, avec une barbarie sans exemple, un missionaire de paix et de charité, et que les autorités Chinoises se refusent à punir ce magistrat coupable, des catastrophes regrettables surgissent, et Canton en offre un exemple qu'il ne faut pas oublier.

S'il était permis aux étrangers de voyager dans l'Empire pour leur commerce ou pour leur instruction, mais à la condition d'être forcément munis de papiers delivrés par leurs consuls, et legalizés par les autorités Chinoises —" — moyennant un droit léger perçu au profit du trésor de l'Empire, il en résulterait un

grand

grand bien pour le pays, et les autorités chinoises auraient des garanties contre les actes répréhensibles de quelques étrangers, dont la conduite est réprouvée par tous les honnêtes gens. Cette question est une de celles qu'il serait utile de résoudre.

La liberté de conscience, une protection efficace pour ces hommes pieux et charitables qui exposent leur vie, et abandonnent ce qu'ils ont, pour soulager les pauvres et les infirmes, et qui exhortent les hommes à la pratique du bien, et au respect des lois, des autorités et de l'Empereur, devraient trouver place parmi les clauses des relations amicales à établir.

Pourquoi chaque producteur dans sa province, et chaque industriel dans l'Empire ne pourraient-ils pas vendre directement aux étrangers, munis de passeports en règle, et sur les lieux même de production, les fruits de leur travail ou de leur industrie? Ils ne seraient plus lésés dans leurs intérêts, comme ils le sont aujourd'hui, par des intermédiaires infidèles ou peu scrupuleux qui s'enrichissent à leurs dépends?

Pourquoi ne pas défendre que l'on

l'on prélève illégalement dans les —"—
provinces des droits de transit sur les
marchandises et les denrées qui sortent du
pays ou qui y arrivent, et qui ont déjà
payé les contributions ou les droits que les
tarifs imposent?

Telles sont, à peu près, noble
dignitaire, les principales questions à traiter
et dont la solution définitive obtenue en
même temps que les réparations demandées
ramenera le calme dans le pays et —"—
permettra aux plénipotentiaires de France
et d'Angleterre de remettre la ville et les
faubourgs de Canton entre les mains des
délégués de l'Empereur. Mais, sans vouloir
employer un langage semblable à celui
qu'il a fallu faire entendre au Commissaire
Impérial Yé, le Soussigné doit cependant
bien faire connaître au noble dignitaire, que
l'accord le plus intime règne entre les
plénipotentiaires de France et d'Angleterre,
les deux drapeaux qui flottent dans Canton
en fournissent la preuve, et que, si à
l'époque désignée, c'est à dire vers la fin
du mois de mars, le Soussigné ne trouvait
pas à Shanghai, on il se rendra, des
plénipotentiaires convenables, revêtus de pouvoirs

suffisans

suffisans pour accorder les réparations voulues et pour résoudre les questions dont il vient d'être parlé, et celles, de moindre importance, qui s'y rattachent, il se verrait forcé, bien à regret, de prendre les mesures que les circonstances exigeraient pour mettre un terme à un état de choses qui ne doit pas se prolonger.

Le soussigné désire vivement que les demandes de son Gouvernement et celles du Gouvernement de S. M. B. soient favorablement accueillies à Pékin, et il serait heureux d'attacher son nom à la réconciliation complète et sincère de la France et de la Chine, au profit de la civilisation et du bien-être des populations des deux Empires.

Le soussigné fait les voeux les plus ardents pour que le bonheur n'abandonne jamais le grand et noble dignitaire auquel il adresse aujourd'hui cette importante communication.

Pour copie conforme
Baron Gros.

Despatch N°. 9. Cp. 27
13 Feb. 1858

Translation.

Baron Gros to the Prime Minister at Peking.

Mission Extraordinary of France
in China. Canton February 1858.

To His Excellency the Prime Minister of the Emperor of China at Peking.

The Undersigned, Ambassador Extraordinary of H. M. the Emperor of the French to the great Emperor of the Tsings, and furnished with letters which accredit him in this rank near the august Sovereign of the Celestial Empire; bearer likewise of powers which have been conferred on him as Commissioner and Plenipotentiary to regulate the differences which exist between the two nations, and to endeavour to render still more useful to the subjects of the two Empires the relations of amity, commerce and navigation established between them by treaties and by the progress of civilization, has the honour to announce to the Great Dignitary, H. E. the Prime Minister &c. &c. that he arrived in the Canton Rivers, sometime since, and that after receiving from the French authorities in this

this neighbourhood, all the information which he needed in order to understand the state of things, and to learn if at last the Vice Roy of the two Kwangs had acceded to the just demands for reparation which France had long ago —"— presented to the Chinese Government, he had learned with the most lively regret that dilatory answers, or a prolonged silence had always been opposed to the moderate reclamations of the French Minister by the Imperial Commissioner Yeh, charged by the Emperor with the foreign relations of the Celestial Empire.

In this state of things, wishing yet to give to China a proof of the conciliatory spirit which animates the Government of the Emperor of the French, and of the desire he has of maintaining peace between the two Empires, the Undersigned addressed himself to the —"— Imperial Commissioner Yeh, because the season, too far advanced, did not permit him to proceed to the Peiho, where he had orders to present himself, and in writing to Yeh to make known to him the objects of his mission, he did not allow him to remain ignorant of what would be the inevitable consequences of this silence, of

his

his refusal, or of the evasive answers which he might give to the notes sent to him.

In order that the noble prime minister &c. &c. may know exactly the facts which preceded and followed the capture of Canton, and that he may have no doubt on the cause of the grave events which have just occurred, the undersigned sends him herewith, a copy of the correspondence which has taken place between him and the Imperial Commissioner Yeh, as well as a copy of the summons and proclamations of the Commander in Chief, documents which it would be of the highest importance to place before the eyes of the August Sovereign of the Empire, to whom the whole truth should be known.

Yeh, having by the derisive answers which he has given, obstinately refused to give satisfaction to the just and moderate demands which were addressed to him by France and England, it being decided between them as to the means to be employed to obtain justice, and the term which had been assigned to him for acceding to them having expired, the French forces, united

with

with those of England, attacked the city on the 28th December of last year, and took possession of it on the 29th.

The first care of the Plenipotentiaries and of the Commanders of the allied forces, the Prime Minister already knows without doubt, was to protect the lives and property of the inoffensive inhabitants, sacrificed to the foolish pride of him who should have been their protector. A few days after the taking of the city, Yeh, the Governor Pih-kwei, and the Tartar General were themselves captured by the allied forces, and no harm done to them; Europeans place no price on the heads of their enemies. All the attentions due to the misfortune and the rank of these high dignitaries have been granted them, but Yeh, the first cause of all the evil, has been removed from the Empire where he will not return till the court of Peking shall have granted the reparations which it owes, and shall have consented to reestablish on bases still broader than those which now exist, the official relations between China on the one part and France and England on the other

other relations which the blindness of Yeh has compromised in so lamentable a manner.

The yamun of Yeh exists no longer, a portion of his archives, the treasure, the arsenals of Canton are in our hands, and the Vice Roy now mourns in a temporary exile, the unwise conduct which has caused so much evil to his subjects.

As to their Excellencies the Governor Pih-kwei and the Tartar General whom Yeh had deceived in not letting them know either of the just demands of the Allies, or of their summons, or of the time which they granted to the principal authorities of Canton, to find means of entering into an arrangement, these two high dignitaries inspired by a feeling of patriotism which does them honour, have consented to aid the Commanders in Chief of the Allied Forces in maintaining order in the city, in restoring confidence, in saving it from pillage, and in seeking thus to preserve it uninjured until the time when

when the allies will be able to restore to the hands of the representatives of the Emperor.

These high functionaries have been restored to liberty and reestablished in their yamens where they administer justice and whence they maintain order in the city.

Tranquility being restored, the blocade being raised, commerce bringing back its treasures, and the inhabitants already becoming accustomed to see with pleasure and profit to themselves the foreigners who love them and treat them well, will not be long without seeing that they have been mistaken in representing them as their enemies, and that so far from fleeing from them and fearing them as they have been ordered to do, they have every thing to gain in establishing with them most friendly relations.

In this state of things, the plenipotentiaries of France and England have considered that the time is come to give effect to the mission which they have to fulfil, and the Undersigned together with his

his honorable colleague of England, wishing still to do everything in his power to prevent the evils, always entailed by the use of coercive measures, from spreading to other provinces of the Empire, has, in concert with the plenipotentiary of H.B.M. taken the determination to suspend hostilities and to make a direct application to the court of Peking, that it may be willing to nominate diplomatic agents of a rank equal to that of the plenipotentiaries of the two nations, and to order them to repair to the city of Shanghai at the end of March of this year, there to meet the plenipotentiaries of France and England, who will be there at the same time, or not long afterwards.

But to leave nothing in doubt, and to act towards the high dignitary, the Prime Minister &c. &c. with the same loyalty made use of towards Yeh, the Undersigned ought to say to H.E. that the high dignitaries appointed by the Emperor must be furnished with the full powers necessary not only to accord the reparations which the Imperial Commissioner Yeh, has refused to give, and

which,

which so far as France is concerned, might be slightly modified if necessary; but also to regulate the indemnities for the expenses of the war as well as those which Yeh has obliged the allies to incur, and which, as has been already remarked, ought to be charged to the Imperial Treasury, since the allies have been forced to make use of their arms. It is necessary, finally, that these same dignitaries should be able to turn their attention as well to certain ameliorations indispensable for the resuming of the legal relations interrupted by the events that have taken place, relations which, the undersigned doubts not, will not fail to take a new start, to the great advantage of the respective populations.

Let Your Excellency reflect seriously on the events that have just occurred. If, as is the case in all the Empires of the West, an officer of an honorable character, and enjoying the confidence of his sovereign, had resided in the Capital City as Minister Plenipotentiary of France or of England, or if he had been

able

able, when he judged it proper or useful, to go there, to present respectfully his complaints to the Emperor and to demand justice, the fall of Canton would not have taken place, the Emperor would have known the whole truth, peace would never have been disturbed, and one of the greatest cities of the Empire would not be at present held by European troops. It is then for the interest of the Chinese Government even more than for that of foreign nations to remedy so dangerous a state of affairs, and it would act wisely in placing itself in this respect on a level with the civilized powers of the West, by allowing the complaints and reclamations to go directly to the throne of the Emperor, by the interposition of honorable men resident at Peking, or at least having the power of presenting themselves there, when grave interests required it. This question must be settled.

The example of Shanghai and of the ports open to commerce, where the Chinese and the foreigners live on good terms, esteem and love each other more as they become better acquainted, ought not

not to be lost, and the considerable —
advantages of which these cities, their
inhabitants and their territory derive the
profit, can be granted to other populations
worthy of enjoying it.

The illegal commerce which
is carried on upon a vast scale in the ports
unopened to foreign commerce, proves to the
detriment of the Imperial Treasury which
derives no benefit therefrom, how useless is the
attempt to restrict commerce to the five ports
named in the treaties.

Your Excellency knows that,
notwithstanding the formal prohibition —
imposed on foreigners from penetrating into
the interior of the country, it is almost
impossible to execute this clause of the treaties,
and that all the foreigners who enter
clandestinely into the Empire ought, without
any ill treatment, to be placed in the hands
of the Consul of their Country whose residence
is nearest to the place where they have been
taken. From this often result grave —
complications, and when it happens, as
the Undersigned has unfortunately a sad
example to cite, a prevaricating magistrate,
such as the one of Li-lin-hieng, who has

tortured

tortured and put to death, with a barbarity without parallel, a missionary of peace and charity, and that the Chinese authorities refuse to punish this guilty magistrate, lamentable calastrophes occur and Canton offers an example which ought not to be forgotten.

Were it allowed foreigners to travel in the Empire for commerce or for improvement, on condition however of being necessarily furnished with passports delivered by their consuls and legalized by the Chinese authorities on payment of a small sum to the Imperial Treasury, the result would be a great benefit to the country, and the Chinese authorities would have a guarantee against the reprehensible acts of certain foreigners whose conduct is reprobated by all honest men. This question is one of those which it will be useful to resolve

Liberty of conscience, an efficacious protection for those pious and charitable men who expose their lives, and abandon all they possess, in order to assist the poor and infirm, and who exhort men to the practice of good, and to the respect of the laws, the authorities and the Emperor, ought to find place among the friendly

relations

relations to be established.

Why should not each producer in his province and each ... industrious man in the Empire be able to sell directly to foreigners, furnished with passports according to rule, and even at the places of production, the fruits of their labor or of their industry? Their interests would be no longer injured, as they are at present, by unfaithful or unscrupulous agents who enrich themselves at others' expense.

Why not forbid the illegal levying in the provinces of transit duties on merchandize and produce which leave the country or which are imported into it, and which have already paid the contributions or the duties imposed by the tariffs?

Such, Your Excellency, are nearly the principal questions to treat, the definitive solution of which, obtained at the same time with the required reparations, will restore peace to the country, and will allow the French and English plenipotentiaries to restore the city and suburbs of Canton to the hands of the Representatives of the Emperor. But without wishing to use language like that which it was

necessary

necessary to employ to the Imperial Commissioner Yeh, the undersigned must nevertheless make known to Your Excellency that the most intimate concord reigns between the plenipotentiaries of France and England, a proof of which is furnished by the two flags that float above Canton, and that, if at the time designated, that is towards the end of March, the undersigned does not find at Shanghai, where he will be, proper plenipotentiaries, vested with sufficient powers to accord the desired reparations and to decide the questions just mentioned, and those, of less importance which will arise, he will feel himself forced, though reluctantly, to take the measures demanded by circumstances in order to put an end to a state of things which ought not to be prolonged.

The undersigned ardently desires that the demands of His Government and those of the Government of H. B. M. be favorably received at Peking and he would be happy to sign his name to the complete and sincere reconciliation of France and China, to the advantage of the civilization and of the well being of the

the populations of the two Empires.

The Undersigned offers the most ardent wishes that prosperity may ever accompany the great and noble dignitary to whom he to-day addresses this important communication.

Dispatch No. 9. Cy 2
13 Feb. 1858

H. M. S. Furious
Canton. February 6th 1858

Sir,

I have the honour to enclose herewith the copy of a notification respecting the military occupation of Canton and the suspension, until further notice, of hostile operations against China which is about to be issued by His Excellency Baron Gros and me for general information.

I have the honour to be

Sir,

Your Excellency's
Most Obedient
humble servant
(Signed) Elgin and Kincardine

His Excellency
The Hon W. Reed
&c &c &c

Despatch N: 9. Cy. 2
13 Feb. 1858

opy –

The Undersigned, High Commissioners and Plenipotentiaries of Their Majesties the Queen of Great Britain and the Emperor of the French, deem it proper to state for general information that Canton having been captured by the Allied British and French Forces, the City and Suburbs are in military occupation and under martial Law.

Tranquillity being reestablished the Commanders in Chief of the Allied Forces have already declared that the blockade of the River and Port of Canton will be raised on the 10th instant, and have made public the conditions under which persons other than Chinese, desirous to visit the city or suburbs will be permitted to do so after the blockade shall have been raised.

Under these circumstances the Undersigned declare that the City and suburbs will continue in military occupation, and under martial law until further notice: but that hostile operations against China, except such as the Commanders in Chief of the Allied Forces may consider it necessary to adopt for the security of their military position in Canton, are for the present

suspended.

Beyond the limits of the military occupation, the relations of British and French subjects and of persons entitled to British or French protection with the Chinese are regulated by the provisions of the existing Treaties

(Signed) Elgin & Kincardine

(Signed) Baron Gros

Canton. February 6th 1858

Dispatch N°. 9. 42ᵈ
13 Feb. 1858

Mission Extraordinaire
de France
en Chine. À bord du Primauguet
le 6 Février 1858.

Monsieur le Ministre,

J'ai l'honneur d'envoyer ci-joint à V. E. une copie de la notification que, de concert avec S. E. Mr. le Haut Commissaire de S. M. Britannique je crois devoir rendre publique pour faire connaître l'état de choses actuel dans les affaires de la Chine, et la position que les Plénipotentiaires alliés prennent en ce moment pour donner suite à la mission que leur a été confiée par leurs Gouvernements respectifs.

C'est avec plaisir, Monsieur le Ministre, que j'ai l'honneur de faire cette communication à Votre Excellence, et je saisis cette occasion pour

A Son Excellence
Monsieur William B. Reed,
&c. &c. &c.

pour lui offrir de nouveau l'assurance
de mes sentiments de haute considération.

Baron Gros.

Despatch N. 9. Enc 2
13 Feb. 1858

Copie.

Les Soussignés, Hauts Commissaires et Plenipotentiaires de L.L.M.M. l'Empereur des Français et la Reine de la Grande Bretagne, portent à la connaissance de toutes les personnes intéressés que la ville de Canton ayant été prise par les forces alliées de la France et de l'Angleterre, cette ville et ses faubourgs sont occupés militairement et soumis aux lois qu'impose l'état de siége.

La tranquillité y étant rétablie, les commandans en Chef des forces alliées ont déjà declaré que le blocus de la rivière et du port de Canton serait levé le 10 de ce mois, et ils ont fait connaître les conditions auxquelles tout individu, quelle que soit sa nationalité, les Chinois exceptés, aurait à se soumettre, pour être autorisé à pénétrer dans la ville et dans les faubourgs après la levée du blocus.

Dans cet état de choses, les Soussignés déclarent que l'occupation militaire et l'état de siége de la ville et de ses faubourgs continueront à être effectifs jusqu'à

jusqu'à nouvel ordre; mais que les hostilités contre la Chine seront suspendues provisoirement, dans le cas où les Commandans en Chef des forces alliées seraient contraints d'y avoir recours pour defendre et conserver leur position militaire dans Canton.

En dehors des limites de l'occupation militaire, les rapports entre les indigènes et les sujets des Puissances alliées ou qui sont placés sous leur protection devront être ceux que les traités établissent.

Signé - Baron Gros

" Elgin and Kincardine.

Canton le 5 Fevrier 1858.

Pour copie conforme

Baron Gros.

Despatch N. 9. Gp 2.
13 Feb. 1858

Legation of the United States
Minnesota. February 6th 1858

My Lord,

I have had the honour to receive Your Excellency's despatch marked "confidential" of the 4th instant, accompanied by copies of the correspondence with the late Imperial Commissioner Yeh and of a note forthwith to be sent to the Prime Minister or Senior Secretary of State of the Emperor of China. I beg to thank you for the frankness and unreserve of this communication.

It is in perfect consonance with the spirit and letter of my instructions for me as the Representative of the United States to support the attempt about to be made by His Excellency Baron Gros and Your Lordship to induce the Government of China to consent to such arrangements as may obviate future misunderstandings and tend to develope commercial relations between China and other Nations. There is nothing in the views which you have done me the honour to communicate of the course to be

To His Excellency
The Earl of Elgin & Kincardine
H. M. High Commissioner & Plenipotentiary
&c &c &c

be pursued by Great Britain and France which the United States cannot cordially support - and I beg to add the expression of my personal sympathy with the feeling which animates Your Excellency's plan of action.

"The Government of the United States has already in communications addressed to the British Minister at Washington recognised the justice of the causes of complaint which both England and France have against the Chinese, and I am very sure that in the conciliatory course which Your Excellency proposes to pursue, the President will find new reason to be satisfied with having instructed me peacefully to cooperate with you.

"The United States, as you are aware, have grave causes of complaint against China and it is matter of regret if not surprise that the forbearance which it has been our duty and policy to exhibit towards a power of relative weakness, has produced little or no effect. I now cherish the hope that the thorough and complete concord of the Western powers which Your Excellency desires to initiate may render unnecessary such coercive measures on the part of the United States as I have recently felt in my duty to recommend.

I

I shall at once address to the Imperial authorities at Pekin, a communication defining very distinctly the attitude and intentions of the United States, and shall be most happy to forward it by one of the ships of this squadron to Shanghai at the same time that the letters of Your Excellency and Baron Gros are sent. The United States Frigate Mississippi will be ready to proceed to Shanghai on this mission early next week.

I shall have the honour to forward to you a copy of my letter to the Imperial Court as well as of my correspondence with the Commissioner at Canton as soon as they can be ~~forwarded~~ prepared.

I have the honour to be
My Lord
Your Excellency's
most obedient
humble Servant
William B. Reed

Dispatch N. 9. Ex. 2
13 Feb. 1858

Legation of the United States
Minnesota February 6th 1858

Monsieur le Baron

I have had the honour to receive Your Excellency's important communication dated the 4th inst. with the accompanying documents informing me of the course of action which you propose to pursue in conjunction with His Excellency The Earl of Elgin in your future relations to the Government of China. I am further indebted to Your Excellency for the exposition you have done me the honour to make of the studious efforts on the part of the Representatives of France and Great Britain to limit the sacrifice of life and property in the progress of the coercive measures which were adopted at Canton. I did not need this to convince me of the extreme reluctance with which you as the Representative of His Majesty the Emperor of the French resorted to hostilities against such an adversary as you found at Canton. The good order which Your Excellency informs me is established in the captured city and the prospect of the early Resumption of peaceful commerce under the regulations made by the

Allied

To His Excellency Monsieur le Baron Gros
Commissioner Extraordinary and Ambassador
of His Majesty the Emperor of the French in China

Allied Powers (a rough sketch of which your chief Secretary Mr. De Bellecour did me the honour to show me this morning) are matters which will be viewed by all with great contentment.

In relation to the future I beg to say promptly to Your Excellency that I concur entirely in the plan of action proposed, and shall be most happy to give to it, all the support in my power. In this I not only gratify the wish I have always had for frank and unreserved intercourse personally and officially with your Excellency but conform with the spirit of the instructions under which I act.

I shall at once address to the Imperial Authorities at Pekin, a communication defining very distinctly the attitude and intentions of the United States, and shall be most happy to forward it by one of the Ships of this Squadron to Shanghai, at the same time that the letters of Your Excellency and Lord Elgin are sent. The United States Frigate Mississippi will be ready to proceed to Shanghai on this mission early next week.

I shall have the honour to forward to you a copy of my letter to the Imperial Court as well as of my correspondence with the Commissioner at Canton as soon as they can

can be prepared.

I have the honour to be

Monsieur le Baron

Your Excellency's

most obedient

humble servant

William B. Reed

The Undersigned Envoy Extraordinary and Minister Plenipotentiary of the United States of America bearing letters of credence from the President of the Republic to His Majesty The Emperor of China, with full powers under the seal of the United States to consult and negotiate with any Minister or Ministers of equal rank who may be deputed for that purpose by His Imperial Majesty, addresses this urgent communication to the Supreme Council of State.

He asks for it the respectful consideration which the President and the High Authorities of the United States would gladly give to any communication which the representatives of His Imperial Majesty might address to them.

The Undersigned arrived in the dominions of His Majesty in the province

of

of Kwangtung on the 5th of November 1857

He found the Provincial City of Canton threatened by actual warfare, the Great Western Powers of England and France having been compelled for the redress of wrongs done to them, reluctantly to resort to arms. The United States were no parties to these hostilities. Pursuing a policy of peace and neutrality which the traditions of this country and the precepts of the great founders of the Republic consecrated, they had refused to become parties to a war on any part of China. Deeply aggrieved as the citizens of the United States had long felt themselves by imposition on lawful commerce, harassed and alarmed by indiscriminate attempts at poison and massacre on their lives and those of their families, aggrieved as the Representatives of the United States for years have been by a contumelious refusal of the

local

local authorities charged with the administration of foreign affairs in the South to hold personal and official intercourse with them - Still more justly dissatisfied with the manner in which within the last eighteen months an original letter signed by the great Chief Magistrate, the President of the United States to His Majesty the Emperor had been sent back unread and with the seals broken, the Undersigned remembering the many years of former peaceful intercourse, was willing not only to postpone the claims of his Government and countrymen for redress, but to interpose his mediation to avert the miseries which war inflicts even when mercifully conducted. The Undersigned would have had a rich reward in the support of his countrymen and the approval of his own conscience, had these peaceful intentions been consummated.

In this spirit and with these hopes, in the

in the months of November and December last he addressed in vain several earnest representations to His Excellency the Imperial Commissioner & Governor of the Two Kwang soliciting an interview in order that he might place in his hands the letter with which he was charged from the President of the United States to be transmitted to Peking, and frankly confer with him on matters of common concern. The interview was refused. The offered mediation was frustrated. In one of those letters the Undersigned used these words "The time is not distant when Your Excellency may be sorry you have not seen me".

The time has come when through the obdurate indifference of the high — functionary who unfortunately for all and most so for His Imperial Majesty had charge of these foreign relations, the evils of war have

fallen

fallen on the Empire, the City of Canton after a brief resistance is in the power of ~~the~~ strangers and the Imperial Commissioner a prisoner in their hands.

Of all that has occurred in this neighbourhood the Undersigned has been an anxious spectator - and it is due to the cause of truth, too long concealed from the immediate councils of His Imperial Majesty to him to say that the warfare which the Representatives of Great Britain and France have waged has been in every act the warfare of conscious and magnanimous power, has not been prolonged a moment beyond the line of a moderate necessity and that the treatment of a city taken by assault and of a high functionary captured as the Imperial Commissioner was in the fresh excitement of conflict and with

with the sight of the misery he had occasioned all around them, will be regarded by the civilised world as illustrative of the highest humanity.

That warfare is now over. The safety of the City of Canton depends entirely on the will of its own inhabitants. Peaceful commerce is resumed by all who choose to partake of it - and the High Functionaries representing the August Sovereigns of France and Great Britain have again resolved on an experiment of peaceful negociation and on another more solemn and direct appeal to the Imperial Court in order to avert difficulty in the future.

In that effort - so worthy of Christian powers, the Undersigned on the part of the United States and the Representative of His Majesty The Emperor of Russia have been invited and have

agreed

agreed to join. We have not only been invited to join in the general effort at pacification but we have been unreservedly informed of the specific objects which the Allies have in view and the Undersigned on the part of the United States expressly says that in the promotion of these objects he and his Government — cordially concur.

The Undersigned to bring to the view of the Supreme Council of His Majesty a clear idea of the exact relations of the United States to the other powers with which we mean peacefully to cooperate, and to China to whose highest authority this last appeal is made. The nearest neighbours among the great powers of the World, which the Chinese have, are the Empire of Russia on the North, immediately contiguous and in a direct line across which washes the shores of both - the Republic of the

the United States of America. Between Russia and the United States there has been and is yet, notwithstanding a difference of political institutions, cordial friendship. They have always been and are yet the friends of China - With Great Britain the relations of the American Republic are not less intimate. The bond of a common language and a common ancestry connects us closely; in addition here we have the interest of a great commerce which we have enjoyed together so long and which we so much desire to increase and perpetuate - To the French Nation the People of the United States have relations of ancient and uninterrupted friendship, proved in times of adversity. In the effort now made by His Majesty the Emperor of the French to secure protection to the humble Ministers of a religious faith which inculcates charity

and

and peace by asking redress for the inhuman massacre of a Christian missionary, my — countrymen and my Government will recognise a new proof of his statesmanlike sagacity and power.

It is the consciousness of these intimate and friendly relations which now leads me as the Representative of the United States cheerfully to concur in the great and probably last peaceful effort to be made to approach nearer to the throne of His Imperial Majesty and make audible our words of friendly warning. The hope of peace to be established on a new basis and by revised treaties between China and each of the Western Powers encourages me to share in the movement proposed.

The first fruit of such a peace will be what the United States and its representatives have

have always had at heart, the integrity of the Chinese Empire in all its parts, from its centre to the extremities. Foreign spoliation and civil disturbances are alike deplored by us. The Undersigned believes this Ancient Empire would find a new element of vigour in the permission to foreign commerce to enter its great rivers and all its ports; for it was well said by one of his predecessors when, years ago, he was seeking access in vain to the Imperial Court that when commerce licensed by authority and paying into the Imperial Treasury taxes drawn from its encouragement shall cover the rivers and coasts of China, western nations will not permit rebel chiefs or pirate adventurers to interfere with its successful pursuit. Freedom of trade is the best— security of those who make it free.

The Undersigned does not deem

it

it necessary or expedient to enter now into further details as to what the Government of the United States desire to embody in the revised Treaties which he is instructed to demand. In one respect foreign Nations cannot be separated. No one asks or ever will ask peculiar privileges. The United-States agreeing generally to the ends proposed by the other Western Nations, have special claims for redress which at a proper time will be presented and resolutely urged. Among them is compensation for the losses which their citizens have incurred whilst pursuing lawful commerce (for none other does the Undersigned or the United-States desire to countenance) or other mode of peaceful occupation both in years past and recently when their resolute neutrality did not seem to give them protection for outrage. This must be adjusted.

In

In conclusion the Undersigned informs the Supreme Council of His Majesty the Emperor that he shall at once proceed to the Treaty port of Shanghai and there hopes to meet an Imperial Commissioner or such other Plenipotentiary or Plenipotentiaries of equal rank with the Undersigned and clothed with equal powers, as may be duly accredited for the purpose of negociation and deputed by His Majesty the Emperor. The Undersigned proposed to remain at Shanghae till the last day of March for the purpose indicated. He desires however to be distinctly understood that any effort to remove the place of negociation, as was formerly attempted, to the Southern provinces of China or to any place further removed than Shanghai from the Imperial Court at Peking will be regarded - if not as an evasion which

which the Undersigned would be sorry to impute to the Supreme Counsellors of the Emperor - certainly as a refusal to accede to the wishes now earnestly and respectfully expressed for friendly negociation. In such a result, which the Undersigned repeats he should be sorry to say he anticipated, he shall feel at liberty without further announcement delay or declaration either alone or in conjunction with the other Western Powers to approach still nearer to the Imperial City of Peking, or take such other course as the President of the United States may direct him to pursue.

The Undersigned forwards to the Supreme Council at Peking copies of the letters which were exchanged last autumn between him and His Excellency The Imperial Commissioner at Canton and with them the assurances of his distinguished consideration

William B. Reed

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Dated at Macao the tenth day of February in the Year of our Lord one thousand eight hundred and fifty eight.

Canton 11th February. 1858

The United States Minister has the honour to request that their Excellencies Ho Kweitsing, Governor General of the Two Kiang and Show Teh Sheh Governor of Kiang Su will have the goodness to forward the enclosed despatches to the address of His Excellency Yuching, Senior Secretary of State &c &c to His Majesty the Emperor of China.

The history of late events at Canton cannot be unknown to their Excellencies and the United States Minister trust that convinced as he feels they must be of the serious evil which any delay of the letters enclosed may inflict

upon

upon the interests of the State, they will employ every means in their power to ensure its speedy transmission to the capital.

The United States Minister requests their Excellencies to accept the assurances of their distinguished consideration

William B. Reed
Envoy Extry & Minister
Plenipotentiary U.S.A.

To H.E. Ho the Governor General of the Two Kiang and Chain, Governor of the province of Kiang Su.

Despatch N. 4.
13 Feb. 1858

Macao. February 6th 1858.

My Dear Sir,

When this arrives you will probably have received the invitation to join the plenipotentiaries of the allied powers in their demands to be addressed to Pekin, which were forwarded to me yesterday night by Lord (Mr) Bruce and Mr de Bellecourt.

Having well considered my instructions, I find that I could not well desist from cooperating with them as far as negociations alone can go, but before sending them a reply I would be very happy to communicate with Your Excellency and to know the views that you will adopt in the present circumstances.

If you have postponed your visit to Shanghae, I would be glad to know if you intend coming back to Macao or prefer remaining at HongKong. In the latter case I would have come to see you by one of the private steamers, as "America" being just painted will not be able to start.

With assurances of great consideration

Yours faithfully

E. Pontiatine.

His. Excy. W. B. Reed.

&c &c &c 45

Despatch No. 4
13 Feb. 1858

Legation of the United States.
Macao. February 8. 1858.

Sir,

Understanding in our recent conversation that it is your Excellency's intention to unite with me in the plan of action and proposed negociation ... suggested by the Plenipotentiaries of Great Britain and France - and as a ... preliminary means to address a formal annunciation to the Imperial authorities, I have the honour to inform Your Excellency that the United States Steam Frigate Mississippi, Captain Williams C. Nicholson will probably be despatched on Wednesday next in order to carry my despatch for Peking

To His Excellency
Count E. Poutiatine
Envoy Extraordinary and
Minister Plenipotentiary of
His Majesty the Emperor of all the Russias
in China.

Peking to the port of Shanghae. It gives me great pleasure to say to you that I am sure Captain Nicholson will feel much honoured by being the bearer of any communication Your Excellency may desire to send to the North.

I have the honour to be,
Sir,
Your Excellency's
obedient servant
William B. Reed.

Despatch N. 9. Cp. 3
13 Feb. 1858

Macao. February 9. 1858.

Sir,

The frank and friendly intercourse which has existed between us, since I had the Honor to meet Your Excellency, gives me great pleasure to unite with you in the present important annunciation to be made to the Imperial authorities at Pekin, in consequence of the invitation sent to us to that effect by the Representatives of France and Great Britain.

I shall be much indebted to Captn Nicholson for taking charge of my note to the Supreme Council of State at Pekin and delivering it at the port of Shanghae to the proper Chinese authorities, or else, if found more proper, of forwarding it through the medium of the Plenipotentiaries of Western powers, as you have proposed.

I herewith enclose a copy of

That

His Excellency
The Hon.ble W. B. Reed
Envoy Extraordinary
&c. &c. &c.

that note for your perusal and do not enter into any explanations, since every thing is known to you from our recent conversation on the subject.

Assuring you of my high consideration and esteem, I have the honor to be

Your Excellency's
most humble servant
C. Poutiatine.

Copy.

Note to the Supreme Council of the Empire of China.

The Court of Pekin ought to be informed from the communications made to it last year, as well as from verbal explanations, that I had with the Chinese Dignitaries Wen and Tsiang during their visits to me at the mouth of Pei-ho, how much the Russian Government has at heart that the Middle Empire should be in peace and good understanding with all nations having any political or commercial intercourse with it.

In all those communications I endeavoured to point out the difficulties to which the Empire of China in its present state will be exposed if it resists the demands of civilized States, who desire to alter the form of their intercourse with it. There is no doubt that the main reason of all the discords that have happened might have been averted, if foreign Governments could have communicated directly with the high authorities in the capital. Not considering this, the Cabinet of Pekin has not only shown no desire to amend

amend its relations with foreign Powers, but undoubtedly had given orders to the local authorities in other parts of the Empire to adhere to their former rule, in either refusing to accept any representation, or after accepting it, to keep a total silence, or, as in some instances, giving a decided refusal without refuting the question raised and usually referring to circumstances having little or no concern at all with the main object. This form of procedure has been the occasion of ruptures and of all the evils that have befallen China, in consequence of them and but lately the Court of Pekin, undervaluing the friendship of so long a date between Russia and China, refused in order to keep to its immutable custom, though against a clear stipulation of the treaty of Kiakhta, to receive the Envoy sent by His Majesty the Emperor of Russia to Pekin. Now all well intentioned Governments considering their own interests not less than the real welfare of China can rightly unite their efforts in putting an end to this order of things.

The Extraordinary Ambassadors of France and England, sent lately to China after several unsatisfactory communications with

with the Viceroy at Canton, appointed to have relations with foreign Ministers, were at last obliged to have recourse to arms, but not wishing to spread the horrors of war, in which thousands of innocent persons suffer for a small number of guilty ones, have resolved to open direct negociations with the highest authorities at Pekin and have invited the Ministers Plenipotiary of the United States of America and Russia to take a part in them. During my stay at the river Peiho, I informed the Dignitary Wen, that even if a refusal should be sent by the Cabinet of Pekin to my propotals, it would not make me leave the shores of China, but that I would continue to make new efforts to reopen negociations with the high Chinese authorities.

Availing myself of the present circumstances and finding that the general demands of the Representatives of England and France are conformable in substance to those that I have received, the Imperial order to propose to the Chinese Government, I conjointly with them and the Representative of the United States of America, address myself to the Supreme Council of State,

requesting

requesting it to make a representation to the Throne to name one or more high -u- personages vested with full powers to decide everything concerning the demands hereafter mentioned and to order those plenipotentiaries to repair to Shanghae and open negociations with us there not later than the end of the month of March.

The principal demands relating to the general interests of all the States consist:

1- In a free and unobstructed intercourse with Pekin, whenever one of the Governments may find it necessary to send there an accredited person to consider and to come to an agreement on any matter.

By this direct intercourse the representation of any matter or circumstance would be made in its proper and not in an inverted light, as has often been done by local authorities afar from the central power, and this alteration alone would very much consolidate the good understanding between China and the foreign Powers. Besides expediency, it is right that China should adopt a mode of international intercourse similar to that maintained amongst -u-

civilized

civilized nations, who do find no evil arising from it.

2. In spreading and granting new facilities to the commerce of all the nations in the open ports, as well as in other places which by mutual consent may be made accessible to foreign trade.

Every Chinese who has visited the towns where foreign trade has been established must perceive the beneficial effect it produces on national industry. The impossibility of stopping contraband trade where it is convenient and profitable to carry it on, ought to incite the Chinese Government to open a greater number of towns for lawful trade, which has been found to be one of the most important sources of state revenues.

3. In an entire liberty to profess the Christian religion by all foreigners resident in China, as well as by those Chinese who have embraced Christianity or are willing by their free consent to become Christians.

The greatest part of the Chinese who are conversant with Christianity know that this religion enforces charity, obedience, esteem

of

of authorities and everything that is good. one of the best Emperors of China bore witness to its excellence, therefore the Government of China has no reason to oppress men who annunciate it, as well as those who through their own conviction have adopted the teachings of Christianity and are blameless in other respects.

Besides the demands of general importance, it is requisite for the Representative of Russia, a neighbouring State to China, to take into consideration with the Plenipotentiary sent from Peking the frontier questions and the burning and pillage of the Russian factory at Tarbagatai, which all are well known to the Chinese Government.

To refute these demands the Chinese Government will not fail to point out the eternal immutability of its regulations and of its instituted order in China. To this one might reply, if the regulations in China were really immutable and if the appointed order were every where punctually observed, the refutation might have some grounds. But when on the contrary one sees everywhere government regulations violated, and a

total

absence of order and good arrangement, it is difficult to find out in what consists this immutability. It is known that the wisest Rulers of China made new regulations suitable to time and circumstances and the sage most highly honoured by Chinese has left a rule in one of his classical books, where among the nine virtues proper to a wise Sovereign are numbered, the endeavour to attract to his dominions all persons who excel in arts and useful professions, and the reception with benevolence of foreigners and Ambassadors of other Princes. Therefore every one who really wishes prosperity to China must see with pain that in the present time those wise ancient maxims are not followed at all and that the morals of the people, notwithstanding their many excellent qualities, as well as most of the fine old institutions are falling to decay.

Let however the Government of China consider attentively and without prejudice the actual state of China, and the demands now addressed to it by — — foreigners and it will arrive at the conviction there is danger and imprudence in thwarting and arousing against itself a number of

powerful

powerful civilized nations, and on the other hand that there is no reason to fear any bad consequences from the measures proposed to be adopted. A flat or evasive refusal will show spite and distrust towards all who have presented their demands, and will in no way be to the interest of China, but on the contrary may lead to consequences more disastrous than the present.

Requesting the Supreme Council of State once more to lay before His Majesty the considerations here expressed, I trust that the Great Emperor in his wisdom will find it indispensable to the welfare of his subjects to appoint without loss of time some high personages accredited with full powers to open the expected negociations at Shanghae.

February 1838.

(Signed) Count Pontiatine.

Despatch No. 4. Enc 4
13th Feb. 1858

Legation of the United States
Macao. 8th February. 1858

Dear Sir,

I am requested by Mr Reed to say to you, and through you to Lord Elgin, that in suggesting the dispatch of the frigate Mississippi to Shanghai, with his (Mr. Reed's) letter to Peking he did not mean to interfere with any arrangement Lord Elgin might think more conducive to the general interest. If Lord Elgin and Baron Gros think all the communications had better go in an English or French man-of-war Mr Reed will be glad to send his in that way; otherwise, he can easily dispatch the Mississippi. Count Poutiatine's letter (he being accidentally here) will accompany Mr Reed's in any mode thought best.

It is Mr Reed's intention to come up the river on Wednesday as far as the draft of water of the Minnesota will permit, and he will be very glad to learn then what Lord Elgin's views are. The Mississippi is quite at the service of the British

and

The Hon F. W. A. Bruce
Secretary to Legation
H. B. M. to China
Canton

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and French Ministers, if they desire to use her for the dispatch of any communication

I remain

Dear Sir

Yours Obediently

S. Wells Williams

Sec. to Legation U. S. A.

13 Feb. 1858

Off Canton

February 9th. 1858

Dear Sir,

In reply to your letter of the 4th instant I am directed by Lord Elgin to state that he and Baron Gros think it desirable that their communications should be forwarded to Shanghae in vessels bearing the flag of their respective nations, and that they should be presented simultaneously to the Chinese authorities in order to insure their transmission to Peking by the same opportunity.

Mr Oliphant will proceed either to morrow or the day after to Hong-Kong and embark thence for Shanghae with the least possible delay, with instructions to await the arrival of the communications addressed by the other Plenipotentiaries of Foreign Powers who join in this course of proceeding.

It is hardly necessary to add that the sooner these communications reach Peking the better.

I remain Dear Sir

Your's Obediently

Frederick W. A. Bruce

S. Wells Williams

Secretary of Legation

of the United-States in China

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Legation U. S. 4. 4
13 Feb. 1858

Legation of the United States
On board the Minnesota.
February 4. 1858.

Sir

I have the honour to inform you, that, anticipating the exigencies of the public service during the coming season, it is in my opinion absolutely necessary for the accomplishment of the objects of the mission which the President has entrusted to me to charter a small steamer of light draught.

It will no doubt be necessary for this Legation to go to the North so soon as the season will permit, probably about the first of april, at which time I shall be glad to have the assistance of such steamer.

I make this communication in accordance with my instructions and with the letter of the 22nd June 1857 from the Secretary of the navy to Flag Officer Armstrong, then Commander in Chief of the

To Captain Tattnall
Flag officer and Commander in Chief
of the United States' Naval Forces in
the East Indies and China Seas.

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the United States Naval Forces.

I have the honour to be

Sir

Your obedient Servant

William B. Reed

Despatch No. 4-42
13 Feb. 1858

Legation of the United States.
On board the Minnesota.
February 6th 1858.

Sir,

In consequence of important despatches received this morning from the British and French Plenipotentiaries at Canton, I find it necessary to relinquish my intention of visiting Shanghae at present.

The same intelligence however compels me to ask the assistance of a portion of the squadron in another direction. I desire on Wednesday next the 10th inst. to proceed in this ship from Macao where the Legation is temporarily established, as far up the Canton River as her draught of water will permit.

I have concluded to address to the Imperial Court at Peking a communication

To Captain Tattnall
Flag-officer and Commander in Chief
of the United States Naval Forces in
the East Indies and China Seas.

communication of a grave and important nature in conjunction with the Plenipotentiaries of Great Britain, Russia and France. Such a communication must go by the way of Shanghae to which port I desire (if you think it consistent with the interests of your command) to send it in a national vessel. My letter will be ready by Wednesday next and I shall be glad to have one of the ships at my command for that duty.

The change which has thus unexpectedly taken place in the action of the foreign powers induces me so far to modify the suggestions of my official letter of the 4th inst. as to request you for the purposes of this Mission to charter a steamer of light draught at once - instead of deferring it to the 1st of April, and that such steamer may accompany me up the River.

I have already confidentially submitted to you the despatches sent to me by the Allied Plenipotentiaries, and my views as to the course to be pursued by the United States. In the same confidence I beg more formally to say to you that I desire to proceed to Shanghae, either directly or by way of some intermediate port, so as to arrive there on

or

on or about the first of March. It is my intention to remain at Shanghae or in its immediate neighbourhood till the last day of March.

After that time, should there be no negociation at Shanghai, I shall be glad to have the United States squadron —.— concentrated at that port or at some convenient place in its vicinity, with a view to ulterior action.

I have the honour to be
Sir,
Your most obedient servant
William B. Reed.

Despatch No. 4
13 Feb. 1858

Flag-Ship San Jacinto
Hong-Kong 4th February. 1858

Sir,

I have the honor to acknowledge the receipt of your communication of the 6th inst.

In order to advance, fully, your views and wishes, therein expressed, I have directed Capt. DuPont of the Minnesota, to convey you, in that ship, to such points connected with your Mission and at such times, as you may designate.

I have also in accordance with your wish directed Captain Nicholson of the Mississippi to hold himself in readiness to convey to Shanghai in that ship, at such time as may suit your convenience, the communication you refer to.

The squadron shall be concentrated at Shanghai, by the last of March as you suggest.

In regard to your requisition on me for a steamer of light draft, for the convenience of your Mission, I have, with authority from the Secretary of the Navy, furnished me in view of such a contingency, made arrangements to

His Excellency
William B. Reed
Minister Plenipotentiary
to China

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to charter the steamer "Antelope", owned by the house of Russel & Co of Hong-Kong, for six months, at the rate of $5250. per month.

I shall attach her to the "Minnesota" as a Tender, subject to your sole use and order.

Captain Du Pont shall be furnished with particular instructions regarding her

I have the honor to be

Sir,

Your Obedient Servant

Josiah Tattnall

Flag Officer, Commanding in Chief.

Despatch No. 4.
13 Feb. 1858

Confidential

Legation of the United States
On Board the Minnesota
Canton River February 10th 1858

Sir

I have the honour to forward to you two despatches addressed to the Imperial Court at Pekin, one from this Legation and the other from His Excellency Count Poutiatine, the Plenipotentiary of His Majesty The Emperor of Russia. I request you in consonance with orders already communicated to you by the Flag Officer Commanding in Chief the Naval Forces of the United States to proceed at once to the Treaty Port at Shanghai and to deliver these despatches to such of the Chinese authorities as may be designated to you by the Vice Consul of the United States or to the Vice Consul himself for immediate transmission to Pekin. Despatches of a similar nature from the British

Captain William C. Nicholson
United States Ship Mississippi
Hongkong

&c

British and French Ministers are about to be fowarded to Shanghai and it is very important if you reach Shanghai before the vessels which convey them have arrived that you should remain there till their arrival as it is desired that these communications should be simultaneously presented to the Chinese Authorities.

I have the honour to be

Sir

Your obedient Servant

William B. Reed.

Despatch U.S. Leg. 2
13 Feb. 1858

Legation of the United States
On Board the Minnesota.
February 10th 1858

Confidential

Sir

Captain Nicholson of the United States Ship Mississippi is the bearer of very important despatches from this Legation and His Excellency the Russian Minister to the Imperial Court at Peking. Despatches of the same character are sent by the English and French Ministers. I have requested Captain Nicholson to hand these despatches to you and I shall be obliged to you if you will put yourself in communication with Mr. Oliphant one of the Secretaries of His Excellency Lord Elgin who proceeds at once to Shanghai, and deliver these despatches to him to be forwarded with the others, or if he prefers that you should officially present them for transmission to the local authorities, that you do so. I rely on your attention to this and on your discretion in treating this communication as strictly confidential.

I have the honour to be
Very respectfully Your
William B. Reed

Albert Freeman Esqr.
United States Vice Consul
Shanghai

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Rec'd. Mar. Mr Derrick

Legation of the
United States.

Minnesota. January 23. 1858

My Dear Sir,

In my last despatch N° 9. there was one passage capable of relating to Lord Elgin's conversation with me which I meant to mark as 'confidential' but accidentally neglected to do so. Be so good as to consider it so.

There now both my wife here.

Truly yr.

W. B. Reed.

Wm. Appleton.

No 1

Official
No. 10.

Legation of the United States
On Board the Minnesota
Harbour of Hong Kong. February 26th 1858

Sir

Nothing of especial interest has occurred since the date of my last despatch. Canton remains under the quiet control of the Allies, and trade is partially resumed. The Consuls are at Whampoa. We have a rumour as to a communication with the Imperial Court to the effect, that Pihkwei, after his capture, but before he was installed as temporary Governor, wrote to the Emperor that he had succeeded in getting the English and French completely in his power and held them at his mercy, - that he could if intrusted with the function, better than any other person, treat with them; and that there was a — probability the appointment of Imperial Commissioner might be conferred on him. There is so much — falsehood involved in this as to make it quite — probable

Hon: Lewis Cass
Secretary of State
Washington

probable. Another is that a Commissioner specially appointed is on his way to Canton to attempt — negociations. In either case it will be unsuccessful; for no negociation could take place with a man in the attitude of Pihkwei - or at any point further from Peking than Shanghai. I annex to this despatch a copy and translation (Enclosures 1a, 1b) of a letter received from Baron Gros. Lord Elgin has left Canton finally and is now here preparing to go North next week. The French and Russian Ministers go about the same time.

I forward the consular correspondence of the last mails. It relates to various topics of — interest (Enclosures from 2a to 2z.)

1. To the case of the 'Wandering Jew', the facts of which are disclosed fully in the correspondence — between this Legation and the Consulates at Shanghai and Amoy. (Enclosures 2b to 2p—). To this I have nothing to add beyond the renewed expression of my opinion that this Coolie trade to the West Indies is a traffic of the most pernicious kind, morally, socially, and economically. During the year 1857, upwards of Six thousand were shipped from Macao alone to Havana. Accompanying this despatch is (Enclosure 2q) the copy of a printed circular which I have addressed to the various Consuls on the coast and with this, my ability to interpose ends - in this

connexion

connexion, I send a copy of a Government Gazette of (Enclosure 2)
the 20th containing an Act of the Australian
Legislature on the subject of Chinese emigrants from
which you will see that, even on those who come
voluntarily, returning when they please, a capitation
tax of Ten pounds is imposed - and for a voyage
of a few weeks with no great alternations of
temperature, the proportion of passengers to tonnage
is strictly limited. Our ships carry coolies without
a chance of return, on a voyage of five months, in
every variety of climate, and have no restriction
imposed on them as to numbers or discipline. A
large clipper ship called the 'Norway', belonging to a
firm in the City of New York, has just arrived at
this anchorage armed and equipped for carrying
coolies to Cuba. She is now loaded with coal on
Government account, and so soon as she discharges
this cargo, it is understood to be the intention of
the Master to proceed to Macao or Swatow to take,
it is said, two thousand coolies on board.

2. In the correspondence of the Fuhchau
Consulate you will find the local decrees legalising
under certain limitations the sale of Opium -
Financial necessity has at last come to the
assistance of the unprincipled mercantile and
political combination which has so long besieged
this Empire and I have every reason to believe -

that

that the local action at Fuhchaw is but an entering wedge of success for the great experiment which, it is known, the British Government have so much at heart, the unrestricted import of Opium. You will find in the Government Gazette which I annex to this despatch (Enclosure 2r.) a new revelation of the policy of the colonial authorities on this subject. (Enclosures 2s. 2t. 2w)

I am compelled to be a spectator of the careless participation of many of my own fellow-citizens in this trade, and am obliged to limit my action to efforts to prevent any official countenance being given to it. On this subject I refer to the accompanying correspondence with Mr Perry the Consul at Canton. (Enclosures 2v. 2w)

3. I have no further information as to the Mexican dollar question than is contained in the correspondence; and in the Imperial Decree directing the payment of the troops in that coin which I have the honour to forward (Enclosures 2x. 2y. 2z)

4. Soon after my arrival in China, observing how much diplomatic action here was affected by the disturbances in India, I thought it best to put myself in correspondence, informally, with some of our consular agents in that Empire. I annex two brief letters received in reply from the Vice Consuls at Singapore and Calcutta and venture

to

to call your attention to the suggestion in the communication of the latter gentleman as to the expediency of one of this Squadron, when the public service permits, visiting that port. Any one of the vessels returning home in the winter season by the way of the Cape of Good Hope might easily visit both Calcutta and Bombay. (Inclosure 3.a 3.b)

Annexed to this despatch (Enclosure 4) is a letter from the American Mercantile house of James Purdon & Company on the subject of their claims for the loss of property at Canton.

As there is every reason to suppose, either that negociations will be begun and successfully consummated at Shanghai during this summer, or that some other decisive action will be taken and lead to some result this season, I solicit the President's attention to my request for permission to return to the United States on the signature of a treaty or at the furthest on the expiration of a year from the time at which I arrived in China. The current business of the Legation can safely be confided to Mr Williams, the Secretary of Legation, till my successor shall arrive. Indeed such is my conviction of the advantage of personal intercourse, and so unlimited my confidence in Mr. Williams that I should hope the departure of any successor whom the President might select would be

delayed

delayed till I could meet and confer with him at home or in Europe. Be this as it may, I respectfully and urgently ask for permission to return at one of the periods designated. I need hardly add it would be a matter of great personal gratification if I could be conveyed in this ship either as far as Aden so as to take the overland route, or direct by the Cape of Good Hope. As this despatch will not reach you until the month of May and an answer cannot be returned to me in the North before August, I beg your immediate attention to it.

I shall sail to morrow for Shanghai by the way of the Phillippine islands, hoping there to meet Commodore Tattnall and confer with him as to the disposition of the Naval Forces during the summer. As an illustration of the extremely friendly policy of His Excellency the Russian Minister I forward copies of a private correspondence which has just passed between us, simply remarking that he is mistaken in supposing such a thing as a general blockade is contemplated by any body and as to my having any diplomatic relations to Japan. I have found Count Poutiatine a most earnest friend throughout (Enclosures 5-a & 5-b)

I have the honour to be

Sir

Your Obedient Servant

William B Reed

Index to Despatch No. 10.

February 26th 1858.

(Relating to current business of the Legation)

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Despatch No. 10. Enclosure 1a
February 26th 1858

Mission Extraordinaire
De France
en Chine

À bord du Primauquet,
le 13 Février 1858

Monsieur le Ministre,

J'ai reçu, le 9 de ce mois, la lettre que Votre Excellence m'a fait l'honneur de m'écrire en réponse à celle que je lui avais adressée le 6, pour lui faire connaître la marche que je comptais suivre, de concert avec mon honorable collègue d'Angleterre, pour donner cours, après la prise de Canton, à la mission que l'Empereur m'a confié en Chine; et pour mettre Votre Excellence à même, si elle le jugeait convenable, d'unir ses efforts aux miens pour obtenir du Gouvernement Chinois les concessions que j'ai à lui demander encore en termes conciliants, au nom du Gouvernement que j'ai l'honneur de représenter.

Le Gouvernement de l'Empereur ne peut que se féliciter, Monsieur le Ministre, de voir Votre Excellence apprécier comme elle doit l'être la conduite si modérée, et si pleine d'humanité qu'il a tenue dans les conjonctures actuelles, et il apprendra avec plaisir que Votre Excellence, comme le fait aussi de son côté Mr. le plénipotentiaire de S. M. l'Empereur de Russie, vient réunir

À Son Excellence Monsieur W. B. Reed
etc etc etc.

réunir ses efforts à ceux des hauts Commissaires de France et d'Angleterre pour faire entendre au cabinet de Péking un langage conciliant, sans doute, mais qui, tenu en même temps par les Représentans de quatre grandes puissances, ne peut manquer d'être pris en sérieuse considération par le Gouvernement Impérial de la Chine.

J'ai reçu également, mais quelques jours plus tard, la copie de la correspondance que Votre Excellence a échangée avec le Commissaire Impérial Yé, et celle de la note que Votre Excellence veut envoyer au Conseil de l'Empire à Pekin, à la même époque où celle que j'écris au premier ministre lui sera adressée.

Ces importants documents, dont j'ai fait une traduction, ont été envoyés à mon Gouvernement, et il est inutile de dire à Votre Excellence, qu'ils y seront reçu avec tout l'intérêt qu'ils méritent.

Pour moi, Monsieur le Ministre, je me félicite de voir les rapports si confians qui se sont établis entre nous dès les premiers jours, devenir plus intimes encore, et de savoir aussi qu'en adhérant au plan proposé, Votre Excellence, obéit au desir qu'elle a toujours exprimé d'entretenir avec moi les relations les plus franches, tout en se conformant à l'esprit des instructions qu'elle a reçues de son Gouvernement.

Veuillez agréer, Monsieur le Ministre, les

nouvelles

nouvelles assurances de mes sentimens de haute — —
, considération

Bouglos.

Despatch no. 10. Enclosure 1b
February 26th 1858

Translation.

Mission Extraordinary
of France in China

On Board the Primauguet
February 13th. 1858

Sir,

I received on the 9th inst the letter which Your Excellency did me the honour to write in answer to the one which I addressed to you on the 6th informing you of the course that I intended to pursue in concert with my honourable colleague the English Plenipotentiary to give effect, after the taking of Canton to the mission which the Emperor has confided to me in China; and to put it in Your Excellency's power, if you thought it expedient to unite your efforts to mine in order to obtain from the Chinese Government the concessions which in a conciliatory spirit I have demanded in the name of the Government I have the honour to represent.

The Government of the Emperor cannot but congratulate itself on seeing that Your Excellency

duly

To His Excellency
Mr Wm B. Reed
&c &c &c

duly appreciate the moderate and humane conduct which it has under existing circumstances adopted; and it will learn with pleasure that Your Excellency as well as the Plenipotentiary of His Majesty The Emperor of Russia is about to unite your efforts to those of the High Commissioners of France and England to induce the Cabinet at Peking to listen to language which though conciliatory, cannot fail when held by the Representatives of four great powers to be taken into serious consideration by the Imperial Government of China

I have also received, a few days later, a copy of the correspondence of Your Excellency with the Imperial Commissioner Yeh, and of the note which you proposed to send to the Counsel of the Empire at Peking — simultaneously with that which I have addressed to the Prime Minister.

These important documents, of which I have caused a translation to be made, have been sent to my Government and it is quite unnecessary to Your Excellency for me to say that they will be received with all the interest they deserve.

On my part, Sir, I congratulate myself on seeing the friendly relations which were established between us on our first interview about to become still more intimate, and on learning that in uniting

with

with the plan of action proposed, Your Excellency conforms not only to the desire you have always expressed to have with me the most frank and unreserved communication but not to the spirit of the instructions you have received from Your Government.

Accept, Sir, the new assurances of my sentiments of high consideration

Baron Gros

Despatch No. 10. Enclosure 2a

February 26th 1858

To His Excellency

The Hon. William B. Reed

United States Ambassador to the Court of China

Sir

I had the honour to receive your valued communication of the 13th inst. with accompanying documents appointing me Vice Consul for the United States at the Port of Shanghai, and regret that ——— business engagements render it impossible for me to accept the office.

I have the honour to be

Sir.

Your Obedt. Servant

Albert L. Freeman.

Shanghai January 22d 1858.

Despatch No. 10. Enclosure 2b
February 26th 1858

Official
No 1.

United States Consulate
Shanghai January 26th 1858.

Sir

Referring to my letter of the 22nd inst. in which I informed you of my being obliged to decline the appointment as Vice Consul for the United States at this port; and also to a portion of the contents of a private letter under the same date informing you that under the peculiar circumstances in which the appointment found me, I felt it my duty to transfer the official duties of the Vice Consul at this port over to Mr Paul S. Forbes, I beg now to lay before you a brief statement of the events which have transpired since that date.

Without recapitulating the reasons that led me in the first place to transfer the office, I will only say that had I known at the time the transfer was made, that Mr Forbes would have left this port by the "Antelope" I should never have surrendered to him the trust which your confidence placed in my possession.

You will have doubtless heard of what was generally suppposed to be an additional transfer

on

To His Excellency
The Hon. William B. Reed
U.S. Ambassador to the Court of China

on the part of Mr. Forbes, in favor of Mr. Thomas Walsh, a partner in the firm of Messrs Russell & Co.

On the 23rd inst. it was known that Mr. Forbes had sailed in the "Antelope"; in the morning of that day a committee of gentlemen consisting of the heads of the other American houses in the place, waited upon me to know the facts of the case. I stated to them all that I was conversant with and that I had heard it rumoured an hour or two before that Mr. Walsh had received the transfer from Mr Forbes. On their representing the matter in the light that certain documents deposited in the Consulate might by such a transfer be made use of so as to be detrimental to their interests, and their requesting me to re-assume the Office until your pleasure could be made known in the matter, after fully considering the matter in connection with the question that might arise as to the legality of such a transfer I resolved in my own mind to attempt the recovery of the powers which I had transferred.

I accordingly called to see Mr. Walsh requesting some information respecting Mr. Forbes departure, and learned from him that nothing more than a verbal transfer had been made to him.

He was willing that I should assume the office and returned me the written transfer

given

given by myself to Mr. Forbes.

In assuming the duties of the office until your pleasure is made known in a new appointment, I have to crave your indulgence, and trust that the mantle of charity will be thrown over the irregularities which have thus occurred. No one can regret more than myself the first step which led to them.

The Taoutie of this place being at present absent on a visit to Soo-chow, I have not as yet paid my respects to him in person, but shall take the earliest opportunity to do so on his return. I have however apprised him in a written communication of yesterday's date of my appointment as Vice Consul for the U.S. at this port, conveying to him the renewed assurance expressed in your letter of the desire of the United States and their Representatives to cultivate and maintain the most friendly relations with the authorities of this place.

I have also to inform you of my having called upon the Consuls of the Treaty Powers and have been recognised by them as the Vice Consul for the United States at this port.

Beg to have to own receipt of your letter dated January 15th 1858, which reached me this day per Steamer "Formosa". The suggestions —

Continued

contained in it shall have my attention and support. I find in the Archives of the Consulate your views communicated on the subject to Mr. Knapp conforming to those expressed in your letter now under reply.

I regret to find that the views entertained by yourself on the subject, applying to the case of the Am. Ship "Wandering Jew", have not occasioned a more prompt and decisive attempt on the part of my predecessors to put a Stop to it.

It is under somewhat embarrassing circumstances that I shall undertake to interpose the authority invested in me to stop further proceedings on the part of the Captain of this Vessel. A brief Statement of the case will perhaps be of service by way of preface to the Step which I am about to take in the matter.

It will be needless to go over the ground which must have been already stated, in order to have drawn forth your opinions on the subject as conveyed in your letter to Mr Knapp, Suffice it to say, that this vessel received her port clearance from the Chinese Authorities on the assurance of Mr Knapp, that he had obtained from the Captain and Consignees of the Ship, a guarantie (amount not Stated) the same to be forfeited in the event of her loading with Coolies for the purpose of transporting

them

them to Cuba. This quarantie, if any such existed is not to be found. Mr Jenkins knows nothing of such a paper. A day or two after Mr Knapp gave the ship her papers, and she dropped down the river to an anchorage outside of Woosung some Twenty Miles from this, where she now lies. During the past five or six weeks she has been engaged in loading with with Coolies; it is currently reported and believed that the delay she has experienced has been caused by the interception of some Three Hundred Coolies by the local authorities ere they were put on board.

It having become a public report that illegal and unjustifiable means are being taken by the Captain and officers of this vessel in order to obtain Coolies such as Stealing, Kidnapping and the various forms of false pretences I shall to morrow morning go down the river in company with an Interpreter and a Mandarin sent by the Taoutie, to institute an investigation of the matter and I shall then convey to the Captain a written expression of your views, warning him against this violation of the law and informing him that should he proceed to Sea with Coolies on board for the purpose of transporting them to Cuba, there to be held to Service or Labour, steps will be taken to lay the matter before the law officers of the U.S. Government immediately on his arrival

in

in the United States to institute a prosecution for a violation of the Act. of Congress in such case provided.

Not being able to anticipate the facts which may appear in the investigation, I can only assure you in the interval which will elapse between the receipt of this and that of my next communication on this subject that I shall endeavour to use all necessary caution and prudence in the matter and trust that the demands of justice and humanity will be satisfied without being obliged to resort to the strenuous execution of the law.

I shall avail myself of the first — — opportunity to inform you in regard to the matter.

Regretting that time will not allow of my touching upon some other subjects mentioned in your letter

I remain
Sir
Your obedient Servant
Albert L. Freeman

Despatch No. 10. Enclosure 2 c
February 26th 1858

United States Legation
"Minnesota". Hong Kong.
February 6th 1858.

Sir,

I duly received your interesting letter of the 26th ult in which you informed me you had resumed the Vice Consulate at Shanghai at the solicitation of some of the Merchants whose correspondence you forwarded. I am extremely glad of your decision though I cannot help saying that the alarm excited by what was done so innocently and carelessly by Mr Forbes and Mr Walsh seems to me very exaggerated.

I entirely approve of your course as to "The Wandering Jew" as reported in your letter. Much prudence as well as energy is needed in such emergencies.

I beg to say to you in confidence that one of the vessels of this squadron probably the Frigate "Mississippi" will leave this port for

Albert Freeman Esq.
U. S. Vice Consul
Shanghai.

for Shanghai during the next week, carrying important despatches for the Chinese Government. I rely on your best exertions in connexion with the French and English Consuls to have them forwarded according to their address.

I am
Sir, Very Respy
Yrs
William B. Reed.

Despatch No. 10. Enclosure 2d.
February 26. 1858

U. S. Consulate
Shanghai. February 6. 1858

Official No 2.

Sir,

On the 26th ult I informed Your Excellency that I was about to make an investigation in regard to the coolies on board the ship "Wandering Jew". I had made arrangements for going down to the ship on the following day but was prevented from doing so, through an interference of one of the Foreign Inspectors at the Custom House in detaining the cutter "Haleyon" which had been placed at my disposal by the acting Taoutai.

I accordingly laid the matter before His Excellency and requested the use of the Chinese Steamer "Confucius" which was readily granted.

I left Shanghai early on the morning of the 28th ult accompanied by Mr Interpreter Jenkins, the U. S. Marshal, and an official sent by the Taoutai.

I

To His Excellency
The Hon William B. Reed
U. S. Ambassador to
the Court of China

I found that the vessel had moved from her anchorage during the night and had dropped about five miles further down the river,

When the steamer reached the vessel, every sail was spread and the men on board were getting her anchors evidently intending to proceed to sea at once.

The Confucius anchored a short distance from her and I then proceeded on board in company with the above named.

At the gangway I met Captain Carlton, and Mr Connolly the Consignee of the vessel and after stating to the Captain the object of my visit I requested an interview in which I could more minutely detail the plan I should pursue in an investigation of the condition of the coolies on board.

I then made arrangements for the examination having previously stated to the Captain that if it was found that there were any on board who were detained against their own free will and consent I should insist upon their being taken out.

In the examination that followed I found sufficient evidence to convince me that illegal means had been used in procuring these coolies. Many of them stated that a Chinaman in the employ of Mr Andrew Connolly the

consignee

of the vessel had promised to give them three dollars providing they would go on board the foreign ship to work for a few days, others stated that they were to receive three hundred cash per day to come to Shanghai to serve as soldiers, others were to form a part of a Mandarin's retinue. Nearly every one was questioned in regard to the conditions under which he came on board and not one was found that came on board with any idea of going to a foreign country. Many of the coolies upon being informed that they were to be taken to a foreign country begged to be allowed to go on shore as they had wives and families dependent upon them. Out of Two Hundred and Thirty Six (236) Coolies on board, One Hundred and Seventeen (117) were found to be there against their own free will and consent.

These I caused to be taken out and placed on board the "Confucius" and afterwards brought to Shanghai and delivered over to the Chinese Authorities.

Those that remained on board, One Hundred and Nineteen in Number had their situation clearly explained to them and expressed themselves as being desirous of proceeding in the vessel. The most of these were beggars, who had

had no connections or ties to bind them to China and who took the choice of two evils, dying by — starvation in their own country, or dragging out an existence in an untried and unknown land.

Before leaving the ship, I placed in the hands of Capt. Carlton a written warning — containing an expression of your views in regard to the coolie traffic as contained in your letter of instructions to Mr Knapp dated December 28th 1857. A copy of this document you will find in
No 1 this enclosure.

Not being able to anticipate the state of affairs on board nor the reception I might meet with in visiting the ship I prepared this document before leaving Shanghai. The latter part of it in reference to persons being detained on board against their own free will and consent was of course nullified by the action of the Captain in surrendering such persons up.

Before leaving the ship I was informed of the Captain's intention to take in more coolies and proceed to Amoy for the purpose of — completing the number required by the charter Party. I then stated to him distinctly that should he take another coolie on board at this port I should demand his papers and hold them until Your Excellency could be heard from in the matter.

The peculiar circumstances connected with this case somewhat perplexed me as to the course I ought to pursue, as the Taoutai had stated to Mr Jenkins a few days previous, that in the present instance, those who were found on board desirous of going, might go in the ship, thus rendering the law that prohibits the Coolie traffic somewhat indefinite.

On returning to Shanghai I immediately wrote to the Taoutai representing to him that the Consignee or agent of the ship, was — intending to take more coolies on board, and requested him, in order that the law which forbids the coolie traffic might remain clear and distinct to communicate to me a refusal on his part to allow any Chinese subjects other than those then on board to proceed to sea in this ship.

I took this precaution in order to have some stand-point to guide me in any future action I might be compelled to take in the matter.

A copy of this letter together with H.E's
2 & 3 reply to the same you will find in this enclosure

The captain and consignee seemed to be in doubt as to what course to pursue until the 30th ulto, when the Captain informed me that he had concluded not to take anymore coolies on board at this port, and that he

should

should proceed to sea on the following morning.

He left Shanghai the same evening and on the 31st ulto the ship sailed out of the river.

From information obtained from the Captain I am led to believe that his first destination is Amoy, and that it is the intention of the Captain and agents of the vessel to fulfill the agreement of their charter party, by taking coolies on board at that place and proceeding to Cuba.

A.B.C.D I enclose copies of correspondence between H. B. M's Consul and myself in relation to this affair.

I am happy to inform you that measures were taken at once to bring the Consignee or agent of the ship to justice. He was summoned to appear before the British Consul on the 30th and was fined Two hundred dollars.

I also enclose you a Report of an investigation made by Mr Jenkins the Interpreter of the Consulate on board of the ship "Wandering Jew" on the 23rd ult.

The statements contained therein were verified by the investigation of the 28 ult.

I took occasion to enquire of the Captain if he had given to Mr Knapka guarantee that-

that he would not take coolies from this port at the time the port clearances was withheld by the Customs House authorities. He replied that he had never given anything of the sort.

I have to inform you that I paid an official visit to the Taotai of this place on the 3rd inst, he having just returned from a visit to the North. He expressed himself as being well satisfied with the course that had been pursued in the case of the coolies on board the "Wandering Jew" in taking a portion of them out.

He seemed to be somewhat desirous of obtaining information respecting the present state of affairs in and around Canton and made enquiries as to when Your Excellency might be expected in Shanghai.

In this visit H.E. communicated to me his intention of issuing a proclamation to the effect that on and after an early date, Merchandize of all descriptions might be landed on any part of the American grounds or shipped therefrom.

"This portion of the Foreign Settlement more particularly known as "Hongkew" and upon which the Am. Consulate is situated is rapidly increasing in the number of foreign settlers, and is being continually improved by the holders of land.

The

The restrictions which have thus far been placed upon it in regard to the landing or shipping of goods, being thus removed will doubtless be of great benefit to this particular portion of the foreign settlement.

The events which have occurred of late in and around Canton have, so far as anything apparent is concerned produced but little feeling on the part of the Natives of this place. The few Cantonese residing here, computed to number between Five and Six Thousand manifest but little interest in the news that comes from the south.

Generally speaking the Chinese at this place are as little concerned in regard to the Canton Question as they could be in any dispute appertaining to the internal affairs of our own country.

I have in accordance with your request directed that the North China Herald be sent to the Legation regularly.

With sentiments of respect.

I am Sir,

Your Obedient Servant

Albert L. Freeman.

Despatch No. 10. Enclosure 2e.
February 26th 1858.

No. 1.

United States Consulate
Shanghai 26th January 1858.

Sir

It having been represented to me that the American Ship "Wandering Jew" now under your command is loading with coolies within the jurisdiction of this port in violation of the laws of China thereby conflicting with the treaty regulations existing between the United States and China, I do hereby warn you against such violation and that should you proceed to sea with coolies on board for the purpose of transporting them to Cuba there to be held to service or labour, steps will be taken to lay the matter before the law officers of the United States Government immediately on your arrival in the United States to institute a prosecution for a violation of the Act of Congress in such case made.

It having also been represented to me that you have on board of your vessel Chinese Subjects who are there against their own free will and consent having been placed on board through illegal means. I do in accordance with the power invested in me as the

Capt. Carlton
Am. Ship 'Wandering Jew'

the Representative of the United States at this port and also in accordance with a petition of the Taoutai of this place demand that said Chinese Subjects be -- released and taken from your vessel immediately on penalty of incurring the execution of the law in such cases provided.

I am, Sir,

Respectfully

Albert L. Freeman.

Vice Consul U.S.A.

Despatch No 10. Enclosure 2.
February 26. 1858

No. 2

United States Consulate.
Shanghai January 28th 1858.

To His Excellency Kee.

Taoutai &c.

I have the honor to inform Your Excellency that in company with your official I have this day proceeded on board the American Ship "Wandering Jew" to make an investigation in — accordance with your Request.

On examination of the bodies on board I found 117 had been placed there through illegal means; this number I caused to be taken out and brought to Shanghai in the Steamer "Confucius" and handed them over to your officers. The conditions under which those now on board remain is in — accordance with your Ex. wishes.

I have to convey to your Ex. the assurance of H.E. the Honble W. B. Reed Envoy — Extraordinary and Minister Plenipotentiary from the U.S. to China of his intention to administer justice with an impartial hand in all such cases.

Information having reached me that the Consignee or Agent of said (ship) is — intending to put more Coolies on board, I have to request that Your Ex. will communicate to me

a

a refusal on your part to allow any Chinese subjects other than those now on board, to proceed to sea in said ship.

I have the honor to be

&c &c &c.

Albert L. Freeman.

U.S. Vice Consul.

No 3.

Lee, Intendant of Soo, Soong, and Tai Circuit makes the following communication.

I am in receipt of Your Ex's. communication in reference to having in company with my officer proceeded on board of the "Wandering Jew" and taken 117 Chinese Subjects out of her, which have been handed over to the District Magistrate. You also inform me that you have heard that they intend to place more Chinese on board of her, and request that I shall forbid them from going on board &c. &c.

According to your request I shall issue orders to the District Magistrate to have the persons who have been the instruments of enticing Coolies on board of the "Wandering Jew" arrested and severely punished, and also issue a proclamation to the people warning them not to allow themselves by their Covetousness after gain to be enticed on-board of the "Wandering Jew"

At the time the "Wandering Jew" was cleared the Captain distinctly stated that he did not intend to take Coolies to foreign ports but merely take a few passengers to Fuhkien which is on record.

On examination over 100 persons were found on board of this Ship against their will

and

and without the slightest intention of proceeding to foreign ports - from this it is evident that the Captain's intention was to take coolies from here to a foreign land. I therefore have to request that your Ex. will in accordance with the tenor of your last communication deal with him — according to the laws of your Noble country and thus demonstrate the desire of H. E. the American Commissioner to administer justice with an even hand.

May the days happiness be yours

To

Albert L. Freeman Esq.

U. S. Vice. Consul

Heenfung 7th Year 12th Moon 17th day.

January 31st 1858

A true translation

Fredk Jenkins

Despatch No 10. Enclosure 2 h.
February 26. 1858

Copy

A

British Consulate
Shanghai. January 26th 1858

Sir,

Referring to the conversation I had the pleasure of having with you yesterday, respecting the Coolies on board the American vessel the "Wandering Jew" when you announced your appointment as United States Vice Consul at this port. I beg to say His Excellency Sir John Bowring Her Britannic Majesty's Plenipotentiary has communicated to me the Despatch of His Excellency the United States Commissioner which you read and it would afford me much satisfaction to know what steps have been taken to release these people from a confinement which, I understood you to say, the U. S. Interpreter had ascertained to be compulsory upon them, and according to the Chinese Authorities, illegal by the law of China.

I am aware this is a matter strictly appertaining to your jurisdiction, but the

A. L. Freeman Esq
U. S. A. Vice Consul
Shanghai

the unanimity of the high Officers in China of our respective nations to put a stop to this traffic warrants me, I trust, in seeking for information on the subject.

I have the honor to be
Sir,
Your most obedient
humble servant
(Signed) D. B. Robertson

Despatch No. 10 Enclosure 2 i
February 26. 1858

Copy

B

United States Consulate
Shanghai. 26th January 1858

Sir,

In reply to your letter of this date requesting information as to what steps had been taken in regard to the bodies on board the ship "Wandering Jew" I beg to state that I intend going down to the vessel to morrow morning in order to make a further investigation in the matter, and the measures I may feel it my duty to employ will depend much upon that investigation, the result of which I shall take an early opportunity to inform you.

I am happy to learn that the views of His Excellency Sir John Bowring Her Britannic Majesty's Plenipotentiary coincide with those of His Excellency Mr Reed The American Commissioner in regard to putting a stop to this traffic

I have the honor to be
Sir,
Your obedient Servant
Albert L. Freeman
Vice Consul U.S.A.

D. B. Robertson Esq
H. B. M's Consul.

Despatch No. 10. Enclosure. 2j
February 26. 1858.

Copy

C

United States Consulate
Shanghai. 29th January. 1858

Sir,

I have the pleasure of informing you that I have been on board of the ship "Wandering Jew" and made an investigation in regard to the Coolies on board, I found that out of 236. 117 had been placed there through illegal means and were there against their own free will and consent. These persons I caused to be taken out and brought to Shanghai.

Those that remained on board 119 in Number had their situation clearly explained to them and were desirous of going in the ships.

Before leaving the ship I placed in the hands of the Captain a written warning against taking Chinese Coolies for the purpose of transporting them to Cuba, stating to him that he would be liable to be prosecuted on his arrival in the United States.

I am led to believe that a person properly belonging to your Jurisdiction is the great

D. M. Robertson Esq.
H. B. M's. Consul

great offender in this matter, I allude to Mr Andrew Connolly who was on board of the Ship at the time I visited it and was conspicuous in the investigation as the most interested in this shipment of coolies.

I have the honor to be
Sir,
Your Obedient Servant
Albert L. Freeman
Vice-Consul U.S.A.

Despatch No. 10. Enclosure 2.K.
February 26th 1858

Copy.

D

British Consulate
Shanghai. January 30th. 1858

Sir,

I have the honor to acknowledge receipt of your Despatch of yesterday's date, informing me that you had been on board the ship "Wandering Jew" and made an investigation in regard to the Coolies on board, and that you had found out of the number (236), 117 had been placed there through illegal means and were there against their own free will and consent, these persons you caused to be taken out and brought to Shanghai, leaving 119 on board, who, after having their situation clearly explained, were desirous of going in the ship. That you had also warned the Captain of his liability to prosecution, and that you are led to believe that a British Subject Mr Andrew Connolly, who was present, is the most interested in this shipment of coolies.

A. L. Freeman Esq.
U. S. A. Vice Consul
Shanghai

In reply I beg to tender my thanks for your obliging communication, and to express the great satisfaction it has given me to hear of your prompt and effective interference in this matter, and I have little doubt that our joint endeavors to put a stop to this inhuman traffic will meet with the happiest results, and the approbation of our respective Governments.

As regards Mr Connolly it will be my duty to take all legal measures against him.

I have the honor to be

Sir,

Your most obedient

humble servant

(Signed) D. B. Robertson

Despatch No. 10. Enclosure 2b.
February 26. 1858

Report of an investigation made by me on board the American Ship "Wandering Jew" in relation to the condition of some 200 or more Coolies -

In accordance with the instructions received from the acting Vice Consul, I proceeded down the River, on the 23rd ulto: and found the "Wandering Jew" at anchor about six miles outside of Woosung. I proceeded on board and requested the Captain to muster the coolies between decks which was done. I then questioned them, in regard to where they were going and what inducement had been made to them for coming on board of the Ship.

After questioning seventy or eighty, one old man got down on his Knees and begged to be taken on shore as he had a wife and three children at home who were almost starving; he said that he had been enticed on board by the payment of three dollars and if they would let him go he would get some of his friends to refund the money.

I found that the majority were totally ignorant of their condition and when it was stated to them that they were going to a foreign country, many of the coolies begged to be allowed to go on shore, as they had families who were dependant on them for support.

My opinion is that out of some two hundred or more coolies on board of the "Wandering Jew"

Jew" not over thirty understand that they are going to a foreign country. and that all on board of this ship have been enticed there by the payment of a few dollars in hand and the promise of more after their arrival on board. The leading idea with most of them is that they are coming to Shanghai to serve as Soldiers.

The Chinese Official who was to have gone down with me to the ship, did not go on account of his not making his appearance in season.

Fred^{k} Jenkins

January 26th 1858. Interpreter U.S. Consulate

Personally appeared before me Fred^{k} Jenkins and swore to the truth of the accompanying report.

Shanghai. January 26th 1858.

Albert L. Truman

U.S. Vice Consul

Seal

Despatch No. 10. Enclosure 2 m.
February 26. 1858

No 5.

Consulate of U. S. A.
Amoy. Jany 22nd. 1858

Sir,

On the 19th inst I had the honor to receive your favor of the 15th and enclosures.

If circumstances should occur at this port requiring my attention on account of any Am. vessel being employed in the coolie trade, I will do my best to arrest proceedings, in accordance with your instructions. Your suggestion that the Chinese authorities might refuse the usual custom house clearance looks feasible, and I would be inclined to urge it if any necessity should arise.

The "Wandering Jew" of which vessel you make mention, has not been at this port, to my knowledge. That she could have been chartered to carry Chinese passengers from Shanghai to this place, is not in the least probable; unless it were to transfer them to some coolie ship bound elsewhere.

You may not be aware, that for some time

H. E. Wm. B. Reed
Envoy Extraordinary &
Minister Plenipotentiary &c

time past, compared with former years, very little has been done in the coolie business at this place. I have no means for a positive statement, but think, not more than three or four vessels were despatched from this port during the past year. Among these I am happy to say, not one was American. They were mostly if not all British and my impression is, all bound to Havana.

There is now one British ship here, to load with coolies for that destination. So I am credibly informed. Of our merchants here, there is only one firm that has at this place anything to do with the traffic. There is great difficulty to obtain men to go. This doubtless is the chief reason that so little is done.

As regards your enquiry concerning the legalization of the opium traffic, the facts of the case, as I have learned from good authority are.

1st. A duty has been for some weeks past - perhaps six or two months - and is now levied of $50. each chest. This is collected from the Chinese purchaser - not from the European merchant or agent, who sells it.

2nd. The Collector of Ordinary customs has nothing to do with the business. A special Officer has

has been appointed to attend to the matter – with a police force organized specially for this purpose.

3. The Gov. General of this and the Shih Kiang provinces originated the plan here – to raise funds to meet the expenses of the military operations against the insurgents, who have been giving his Excellency so much trouble for a year or so past. The Gov.. General thus memorialized the Emperor on the subject but no reply has as yet been received.

You will thus perceive this act of the officials here, by authority of the Gov. General can scarcely be regarded as legalizing the traffic as they take no cognizance of the drug, until they find it in the hands of their own people. Indeed what is now done, has been in principle done, for I know not how long a time. Formerly $2. a chest was levied for local military purposes. There has been simply an increase from $2. to $50. in the amount required to be paid. There may be another difference. The $2. was perhaps a levy made by authority of the local officers – while now they act by command of the Gov. General & doubtless expect the Imperial Sanction.

J

I remain respectfully
Your Obedient Servant
E. Doty

Dispatch No. 10. Enclosure 2nd
February 26. 1858

No. 3. United States Legation

Macao. February 1st 1858

Sir

I have duly received your letter of the 22nd ult: and thank you for it: I have since the date of my last despatch ascertained that "The Wandering Jew" is or was recently at Woosung, waiting for a cargo of coolies for Havana and that the information I received as to her destination to Amoy was erroneous. I hope to be able to adopt measures to detain this ship. The Shipper is an English subject of the name of Connelly.

It is probable, though not yet absolutely certain that Commodore Tattnall will within the next few weeks despatch one of the ships of war to Amoy. I may go on board and have the pleasure of your personal acquaintance. Do not however on this account omit your regular correspondence with this Legation which as heretofore I beg you to address to me at HongKong.

I am Sir

Very Respectfully

William B. Reed.

E. Doty Esq.

U. S. Vice Consul

Amoy.

Despatch No. 10. Enclosure 2°
February 26. 1858

No. 6. Consulate of U. S. A.
Amoy Feb. 5th 1858

Sir

The Wandering Jew arrived at this port on the 3rd & reported at this Consulate on the 4th inst. She is a fine Clipper Ship of over 1100 tons and her Master G. H. Carleton appears to be a gentlemanly person of correct feelings and bearing. There are 130 Chinese on board from Shanghai. The ship has stopped here to take in provisions, & thence will proceed to Swatow & thence to Havana.

I have had a full and free interview with Capt. Carleton, as regards the business in which he is engaged, the doubtfulness of its legality and his danger and gave full notice of your views, and my duty and intention to report to you.

He informs me, that every man on board of his Ship, is so by his own voluntary act and that an officer deputed by the Taotai of Shanghai and a Mr Jenkins Interpr. of the U. S. Consulate examined them man by man, explaining particularly where they were to go, what to do, and the nature of

the

H. E. Wm. B. Reed
Envoy Extraordinary &c.

the articles of agreement which they signed. Of somewhat over 250 persons who had been collected together, upon full information given only 130 persons were willing and wished to go. All the rest were at once sent by steamer to shore. Afterwards of those thus sent ashore, large numbers in companies of 15 or 20 persons, came back to the ship and begged Captn Carleton to allow them also to go, but that not one of such persons were received back again.

Captn Carleton further states, that the Tau-tai of Shanghai expressed his full approbation to the shipping of such persons as were without families and who acted voluntarily, remarking that it would be better both for the country and also for themselves; and verified the sincerity of these views by taking the oversight by deputy of shipping every Chinaman now on board the ship.

All the facts of the case may and probably will be fully verified to you by the Vice Consul in charge at Shanghai as Captn C. states to me, that he requested them to do so.

Under such circumstances I do not feel myself authorised to take any further steps in this case and hereby refer the matter for your further consideration.

With consideration

Your very obedient Servant

Ed. Doty.

Despatch No. 10. Enclosure 2p.
February 26. 1858

Official No. 4. Legation of the United States
On Board the Minnesota
February 15th 1858.

Sir

I am in receipt of your letter of the 5th inst. (No. 6) relative to 'The Wandering Jew'. After what occurred at Shanghai, where, but for the prompt interference of the Authorities and especially of Mr Vice Consul Freeman, many of these poor creatures would have been decoyed into virtual Slavery, I confess I have little confidence in any Statement or promise of those who control the movements of this Ship. Nor does it make the least difference in my opinion in a legal point of view whether the coolies go voluntarily or not to Havana provided they are shipped under a contract "to be held to service".

I desire you therefore at once to give formal notice to the master of the Wandering Jew that if he pursues this voyage, his case will be at once reported to Washington, and that he exposes himself to a severe penalty and the property of his owners to forfeiture. And his conduct will not be less censurable if he proceeds to Swatow, a port not opened by Trade,

a

to. Doty Esq.
United States Vice Consul
Amoy

a trade with which is therefore prohibited.

I beg you also to give the local authorities notice that you are instructed to give them assistance in inforcing the laws against such emigration and to refuse clearance to a ship, if they will withhold the usual certificate or if it appears on the face of the papers that the ship's destination is to Swatow or any illegal port.

I am resolute to do all in my power to put an end to this infamous traffic, in this instance carried on, in defiance of all admonition, by a most discreditable combination between an American Master and lawless British Shippers.

I have the honour to be
Sir
Your obed^{t} Servt
William B. Reed

Despatch No 10. Enclosure 2/.
February 26.1858.

LEGATION OF THE UNITED STATES TO CHINA,

February 18th, 1858.

Sir,

I am directed by His Excellency, the Minister of the United States, again, and most earnestly, to call your attention to the *Coolie Traffic* in American ships, and the necessity of resorting to all legal measures to arrest it.

The view taken of the trade by this Legation is, that what constitutes the breach of the laws of the United States is the contract for labour or service under which the coolie is shipped. Hence, it is quite immaterial, in point of law, whether the coolie goes with or against his will, if on his arrival he is "to be disposed of to be held to labour or service." Of course there is a greater offence to morals and to the laws of this Empire, if, as is generally the case, the coolie is kidnapped or seduced or entrapped. The employment of American ships in carrying Chinese coolies to be held to labour is illegal. It has been so represented to the Government at Washington, and will be so regarded by it.

It is a trade in which, as revolting to humanity in its processes and results, no respectable American citizen will participate.

It is a trade which endangers the lives of the mariners engaged in it, and of course involves terrible suffering and mortality among its principal victims — the coolies themselves.

The American Minister, in order to do all in his power to put an end, or as far as possible to circumscribe this traffic, instructs you,—besides giving as much publicity to this communication as you may think conducive to the ends you have in view,—to adopt the following course in all instances.

1st. Whenever you ascertain, or have good reason to believe that an American ship is about to be loaded with coolies for Havana, Surinam, or any other place, under contract for labour or service, you shall at once inform verbally and in writing the master, owner, or charterer, of the views of this Legation, and of the liability to punishment and forfeiture which he or they incur.

2d. Whenever such shipment is about to be made from a British or Portuguese port, you will at once give notice to the Superintendant of Trade or Governor that the trade is regarded as a violation of the laws and treaties of the United States, and that this Legation will regard any countenance given to it as a most unfriendly act. The same notice is to be given to the Consular authorities accredited here by the country to which the shipment is made.

3d. Whenever such shipment is about to be made from one of the treaty ports in China, immediate notice is to be given to the local Chinese authorities so that they may withhold the '*grand chop*,' or port-clearance. Whenever the local authorities desire the aid of the Consul to visit vessels in order to give relief to any Chinese detained against their will, it is to be given promptly. The refusal of the local authorities to give a clearance to an American ship, unless Chinese subjects so shipped are discharged, is a 'lawful requisition' of the local authorities, which the Consul must respect.

4th. Particular attention must be paid by you to the shipping articles of the seamen in such vessels, for it is believed that in many instances frauds on seamen have been perpetrated by interlineations and erasures, and other alterations of shipping articles. In such case, where you are satisfied of the fact of the alteration, you will give such relief to the mariner as is authorized by law, and retain the papers till the decision of this Legation is known.

5th. If it be known to you that the intermediate destination of such ship is to some port not opened to trade by treaty for the purpose of there shipping coolies, you will, if practicable, give notice to the local authorities of the place, of this fraudulent design, and warn the master that such trade is a still grosser violation of law, and involves the same penalties.

6th. Whenever you have reason to believe that any ship, designed for this or any other trade, is about to sail from Hongkong or Macao to a port in China not opened by treaty, you shall forthwith give notice to the Superintendant of Trade, or Governor, of the fact.

7th. All cases of shipment of coolies in American ships under contracts to be held to labour or service must be reported *in detail* to this Legation, and, if possible, the facts verified by the affidavit of some third person.

Every case of such shipment of coolies, with the names of owners, master and charterers, will without delay be reported by this Legation to the Department of State, so that all parties engaged in this traffic may be exposed and brought to justice.

I am directed to repeat that you may give such publicity as you deem expedient to this communication, it being the sincere desire of the American Minister that without resort to ulterior measures, his fellow-citizens may be deterred from any further participation in a trade so revolting to humanity, and discreditable to the parties concerned.

He hopes and believes that this admonition, meant to be an earnest and respectful one, will have its influence with respectable commercial establishments, shippers, and masters. Should it fail he has no other resource than to expose the individual ignominy which a share in such a trade involves, and to bring the guilty parties to punishment. This shall be done thoroughly.

S. Wells Williams,
Secretary of Legation.

To the Consul of the United States of America.

A Copy of the above sent.

To Consul at Shanghai
" " Ningpoo
" " Amoy
" " Fuh Chau
" " Canton
To Sir John Bowring -

THE

Despatch No. 10 Enclosure 2.
February 26. 1858.

Hongkong Government GAZETTE.

NEW SERIES. VICTORIA, SATURDAY, 20TH FEBRUARY, 1858. VOL. III. No. 140.

GOVERNMENT NOTIFICATION.

The Contract for publishing this *Gazette*, entered into on the 24th September, 1853, was terminated on the 30th ultimo; and notice is hereby given, that a NEW SERIES of this *Gazette* will be published hereafter, to commence from the 7th instant, under a New Contract, and that

"*THE HONGKONG GOVERNMENT GAZETTE*"

will, as before, be the only Official Organ for PROCLAMATIONS, NOTIFICATIONS, and PUBLIC PAPERS, of this Government.

By Order, W. T. MERCER, *Colonial Secretary.*

Colonial Secretary's Office, Victoria, Hongkong, 2d July, 1855.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE COUNCIL OF HONGKONG.

No. 4 of 1858.

WEDNESDAY, 17th FEBRUARY, 1858.

PRESENT:

HIS EXCELLENCY THE GOVERNOR, AND ALL THE MEMBERS.

No Meeting of the Council having taken place yesterday, in consequence of a written request for adjournment from the three non-official Members, the Council met to-day by order of His Excellency The Governor.

The Minutes of Council held on the 19th January, were read and approved.

The following Resolution passed unanimously:—

That His Excellency The Governor be respectfully requested to address His Excellency The Earl of Elgin and Kincardine, K.T., Her Majesty's High Commissioner in China, on the subject of the continued exactions practised by the Authorities of Heang-shan, and especially at Caza Branca, on the Chinese in the employ of Foreigners in this Colony; and to state, as the unanimous opinion of this Council that, in the present condition of English relations with the Canton Province, the most efficient, if not only, mode of putting an end to the evil complained of, will be the visit of a Naval Force to the localities above specified.

The proposed Standing Orders and Rules for the conduct of the business of the Legislative Council were laid on the Table; and His Excellency stated his intention of forwarding them by the next Mail, with any written observations thereon from the Members of Council, for the approval of Her Majesty's Secretary of State.

The Council then went into Committee on the clauses of the Opium Ordinance, the further consideration of which was ordered to be resumed on Monday, the 22d instant, to which day the Council adjourned.

By Order of His Excellency The Governor,

L. D'ALMADA E CASTRO,
Clerk of Councils.

No. 15.

GOVERNMENT NOTIFICATION.

S. P. HALL, Esquire, having resigned the Office of Government Marine Surveyor, His Excellency The Governor has been pleased to appoint JOHN LONEY, Esquire, R.N., and G. H. HEATON, Esquire, to be, in addition to JOHN RICKETT, Esquire, Government Surveyors, under the Chinese Passengers' and other Emigration Acts, as also under the Merchant Shipping Acts 1854 and 1855, and Ordinance No. 4 of 1855.

By Order,

W. T. BRIDGES,
Acting Colonial Secretary.

Colonial Secretary's Office, Victoria, Hongkong, 15th February, 1858.

No. 16.

GOVERNMENT NOTIFICATION.

C. BRODERSEN, Esquire, is recognized provisionally as Consul at Hongkong for the Grand Duke of Oldenburg, until the arrival of Her Majesty's Exequatur.

By Order,

W. T BRIDGES.
Acting Colonial Secretary.

Colonial Secretary's Office, Victoria, Hongkong, 16th February, 1858.

No. 17.

GOVERNMENT NOTIFICATION.

The subjoined Act, passed by the South Australian Legislature, "for levying a charge on Chinese arriving in South Australia," is published for general information.

By Order,

W. T. BRIDGES.
Acting Colonial Secretary.

Colonial Secretary's Office, Victoria, Hongkong, 19th February, 1858.

1857.—No. 3.

An Act to make provision for levying a charge on Chinese arriving in South Australia.

[Assented to, 19th November, 1857.]

Preamble. Be it Enacted, by His Excellency the Governor-in-Chief of South Australia, by and with the advice and consent of the Legislative Council and House of Assembly of the said Province in this present Parliament assembled, as follows:—

Interpretation clause. I. In the interpretation of this Act, the following words shall, unless inconsistent with the context, have the respective meanings hereby assigned to them, that is to say—The word "Master" shall be held to apply to any person in command of any vessel; the word "Ship" shall mean any sea-going vessel; the word "Tonnage" shall signify tonnage according to the registry of the ship, if British, or according to the measurement fixed by the Merchant Shipping Act of 1854, if the ship be not British; the word "Chinese" shall mean any native of China or its dependencies, or of any islands in the China Seas, or any person born of Chinese parents; and the word "Passenger" shall be held to mean and include any person on board of any ship, not being borne upon the ship's articles as one of the crew thereof, or who shall be discharged from, or leave such ship, during her stay in any part of the said Province.

Master to state number of Chinese on board. II. The master of every ship, upon arrival at any port in the said Province, having passengers on board, shall deliver to the Collector or other chief officer of Customs at the port of arrival, a statement in writing, under the hand of such master, of the number of Chinese on board of such vessel.

Number of passengers ships may carry. III. If any ship shall arrive in any port or place in the said Province having on board a greater number of passengers, including the master and crew and cabin passengers, than in the proportion of One Person to every Ten Tons of the tonnage of such ship, and more than One-sixth of such passengers shall be Chinese, the owner, charterer, or master of such ship shall be liable, on conviction, to a penalty not exceeding Ten Pounds for each passenger so carried in excess.

Rate to be paid for each Chinese. IV. On arrival at any port in the said Province of any ship having any Chinese passenger on board, before making entry, the master shall pay to the Collector, or other officer of Customs, the sum of Ten Pounds for every Chinese passenger arrived in such ship, and no entry shall be deemed to have been legally made, or to have any legal effect whatever, until such payment shall have been made; and if any master neglect so to deliver such statement, or to pay such sum within the time aforesaid, or shall land or permit such Chinese passenger to land at any place in the said Province, with the intent of evading the payment of any such sum, he shall, on conviction, be liable to a penalty not exceeding Twenty Pounds for each Chinese passenger, in addition to the amount of such sum.

Summary proceedings. V. All sums of money by this Act made payable may be recovered, and all proceedings under this Act may be had and taken before two or more Justices of the Peace, in a summary way.

Appropriation. VI. All sums of money received or levied by virtue of this Act, shall be paid to Her Majesty, Her heirs, and successors, for the public uses of the said Province, and in support of the Government thereof.

Commencement of Act. VII. This Act shall come into operation from and after the first day of December, which will be in the year of our Lord one thousand eight hundred and fifty-seven.

總督南噸士爹噠離亞地方大臣會同定例官議定是一千八百五十七年第三段

爲征收唐人到該處各埠稅餉例式事合明列曉諭各宜悉遵毋違特諭

第一則凡照本律言船主者所有船上人等盡歸管理凡言船者所有出行外洋之船則是凡言噸位者如係英國之船則照船牌內叙列噸位照冀倘別國之船則照一千八百五十四年所出船上例式定擬凡言唐人者但係唐山各處地方之人及挨連唐山地方左右之人並有唐人在中國海島者以及唐人所生子孫均作唐人而論凡言搭客者除船上伙伴係現在牌照內有名注列不計外其餘則爲搭客者計倘船內有人辭退該船而該船仍在各埠灣泊者亦作搭客而論

第二則凡各洋船到該處地方及到該處各阜其船主須要登時寫紙簽名將船內唐人多少列出赴收稅官署稟知

第三則凡各洋船到該處各埠者則將船內噸位總計其船主及船中伙伴並搭客均以每十噸計載人一名爲額另將該船通計人數除船主及船中伙伴外其餘載搭唐人則以人數六份之一爲限倘查噸數與人數不符則將船主或顧船之人或該船原主任從經審官擬罰如搭多一名則擬罰銀十磅以下

第四則凡各洋船到埠船內所有唐人搭客其船主則計每客一名先交稅銀十磅與收稅官執掌然後准其搭客上岸入埠倘船主未經稟報及未輸納稅銀或瞞稅餉私放搭客上岸一經查出審訊者照每名搭客擬罰銀二十磅以下另行稅餉照數征收

第五則凡照本例所應收之銀及擬罰銀兩等項至少者亦要佐審官二員在堂訊斷然後作爲定擬

第六則凡本例所收之銀盡歸 國家公庫以爲該處各埠官員俸薪及各項費用支發

第七則本律係定於一千八百五十七年十二月初一日起例

No. 18.

GOVERNMENT NOTIFICATION.

Whereas it is under the contemplation of Government to alter the system of licensing the privilege of selling Opium in this Colony, by making the sale of crude Opium entirely free, and that of prepared Opium a strict monopoly, Notice is hereby given, that Tenders will be received at the Colonial Secretary's Office up to and until the 13th day of March, 1858, for exercising the privilege throughout the Island of Hongkong and the Waters thereof, of preparing and selling Prepared Opium in every form and shape, and whether for exportation or consumption.

The Tenders to state the Amount, to be paid in advance per Month. The privilege is to commence on the 1st April 1858, for One Year.

By Order,

W. T. BRIDGES.
Acting Colonial Secretary.

Colonial Secretary's Office, Victoria, Hongkong, 20th February, 1858.

憲示

照得近日本港定例總局商議欲改發賣鴉片烟章程凡賣鴉片烟堀者免餉惟鴉片熟貨則招頭人一名承充領出發賣茲故出示曉諭爾等商民週知但有人想領做熟貨者祈寫暗票赴總憲署呈閱限本年正月廿八日截票內則寫明通港各處地方及海面賣賣鴉片煙在港現沽幷裝往別埠發售每月納上期餉銀若干以本年二月十八起計至一年領出爲滿特諭

一千八百五十八年二月二十日示

戊午正初七日

No. 19.

GOVERNMENT NOTIFICATION.

It is hereby notified to Lease-holders of Crown Lands in this Colony, that a List of all Rents outstanding on Saturday, the 27th instant, will be handed in to the Crown Solicitor, for instant recovery.

By Order,

W. T. BRIDGES,
Acting Colonial Secretary.

Colonial Secretary's Office, Victoria, Hongkong, 20th February, 1858.

No. 20.

GOVERNMENT NOTIFICATION.

Notice is hereby given, that a Sale by Public Auction of Crown Lands on Leases, will be held on the Ground to be sold, on Monday, the 8th March, 1858, the Sale to commence at 1 P.M.

The following Descriptive Statement of the Lots to be offered at the Sale, is published for general information.

By Order,

W. T. BRIDGES,
Acting Colonial Secretary.

Colonial Secretary's Office, Victoria, Hongkong, 20th February, 1858.

Schedule of Lots of Land, with the Houses thereon, proposed to be sold by Public Auction, on the 1st March, 1858, at One o'clock P.M., commencing with Lot No. 1.

Order of Sale. Lot No.	Locality.	Boundary Measurements—Feet. N.	S.	E.	W.	Content in Square Feet.	Fixed Annual Rental. £	s.	d.
1	Near West Point Police Station	62	62	300	300	18,600	31	0	0
2		70	70	300	300	21,000	35	0	0
3	South of Queen's Road at West Point	52½	52½	105	105	5,512	15	3	8
4		52½	52½	105	105	5,512	15	3	8
5		72½	72½	105	105	7,612	20	19	4
6	Taipingshan West	50	50	74	74	3,700	10	3	10
7		50	50	74	74	3,700	10	3	10
8		50	50	81	81	4,050	7	8	9
9		50	50	81	81	4,050	7	8	9
10		55	55	50	50	2,750	3	15	9
11		45	45	30	30	1,350	1	17	2½
12	South of Taipingshan, adjoining Caine Road	85	90	48	72	5,100	2	6	3
13		62	90	65	130	6,045	2	15	6
14		80	100		65	2,600	1	3	10½
15	East of Taipingshan, adjoining Caine Road	65	65	37	42	2,567	1	3	7
16		148	235	117	140	25,320	17	8	9
17		75	148	118	140	13,157	9	1	2½
18		470	395		235	57,912	15	19	1
19		140	255	235	360	50,875	7	0	2
20		250	S. & W. 280	N. & E. 310	N. & W. 180	44,637	6	2	11½
21*		230	200	S. & E. 365	310	72,444	9	19	6½
22	South of Caine Road, and West of the Mosque	N. & E. 270	200	185	360	58,500	10	14	10½
23		340	290		185	30,450	4	3	10½
24		280	350	260	250	78,750	7	4	7½
25		240	240	250	250	60,000	5	10	2½
26		240	240	250	250	60,000	5	10	2½
27		255	255	250	265	68,250	6	5	4
28		330	370	208	95	47,520	8	14	6½
29			85	E. 250	135	8,237	3	15	7½
30	Do. East of the Mosque	170	170½	S. & E. 287	262	46,665	8	11	5
31		170	170½	312	287	50,915	9	7	0
32	Land and Albany Building thereon	N. 180	S. 180	E. 290	W. 290	52,200	9	11	8½
33		180	180	300	300	54,000	9	18	4
34	South of Government Offices	300	300	80	240	44,550	20	9	1
35	Near Causeway Bay	140	176	320	370	55,700	1	6	7½

* With Police Station thereon.

CHAS. ST GEO. CLEVERLY,
Surveyor General.

No. 6.

GOVERNMENT NOTIFICATION.

His Excellency SIR JOHN BOWRING, Her Majesty's Plenipotentiary and Chief Superintendent of Trade in China, &c., &c., has been advised by His Excellency M. BOURBOULON, Minister Plenipotentiary of the Emperor of the French, that His Imperial Majesty's High Commissioner has nominated the BARON DE TRENQUALYE, Chancellor of the French Legation, as Acting Consul for France at Canton; which Nomination is published for general information.

By Order,

GEO. S. MORRISON.

Superintendency of Trade, Victoria, Hongkong, 18th February, 1858.

Steam for
SINGAPORE, PENANG, POINT DE GALLE, ADEN, SUEZ, MALTA, MARSEILLES, & SOUTHAMPTON;
Also,
BOMBAY, MADRAS, & CALCUTTA.

THE PENINSULAR & ORIENTAL STEAM NAVIGATION COMPANY'S Steam-ship "*SINGAPORE*," Captain G. A. GRAINGER, with *Her Majesty's Mails, Passengers, Specie*, and *Cargo*, will leave this for the above Places, *on SATURDAY, the 27th February*, at 2 P.M.

CARGO will be received on board until 5 P.M., on the 25th; SPECIE until Noon on the 26th, and PARCELS until 2 P.M. on the 26th.

For Particulars regarding FREIGHT and PASSAGE, apply at the Peninsular & Oriental Steam Navigation Company's Office, Hongkong.

CONTENTS AND VALUE OF PACKAGES ARE REQUIRED.

A Written Declaration of the Contents and Value of the Packages for the Overland Route is required by the Egyptian Government, and must be delivered by the Shipper to the Company's Agents with the Bills of Lading or with Parcels; and the Company do not hold themselves responsible for any Detention or Prejudice which may happen from incorrectness on such declaration.

MAXN. FISCHER.
Superintendent.

Peninsular & Oriental
Steam Navigation Company's Office,
Hongkong, 17th February, 1858.

NOTICE.

POLICE DEPARTMENT, VICTORIA, HONGKONG, *17th February*, 1858.

TENDERS will be received by the undersigned, *on or before the 23d instant*, for the supply of the undermentioned SMALL STORES, during Six Months ending 31st August, 1858.

PADDY.	COTTON WICK.
BRAN.	CASH, PER DOLLAR.
GRAM.	BROOMS.
OIL.	TUBS.
PAPER.	BUCKETS.

C. MAY,
Superintendent of Police.

PUBLIC AUCTION,

TO be sold by AUCTION,—*pursuant to an Order of the Supreme Court of Hongkong*, made in the cause of STEPHENSON *v.* MURROW,—by Mr GEORGE DUDDELL, upon the Premises, *on SATURDAY, the Twenty-seventh day of February*, One Thousand Eight Hundred and Fifty-eight, at Noon, *in One or more Lots*,—*INLAND LOTS Numbers TWELVE, TWELVE* A, *and TWELVE* B, as registered in the Land Office, with the HOUSES and SHOPS thereon. Full Particulars, with Conditions of Sale, may be had of Mr STACE, Solicitor, &c., Hongkong, and of the AUCTONEER aforesaid.

Hongkong, 19th February, 1858.

In re JOAO EVANGELISTA, *deceased.*
„ SHEIKMUNHOP, „
„ LOO-AH-QUOK, „

NOTICE,—All Claims against the above Estates must be proved before the OFFICIAL ADMINISTRATOR, before the *Thirteenth day of August*, A.D. 1858, otherwise they will not be included in the Scheme of Division.

All Persons indebted to the above Estates, are requested to make immediate Payment to

NORMAN RAMSAY MASSON,
Acting Registrar—Official Administrator.

NOTICE.

THE Partnership heretofore subsisting between WILLIAM GASKELL and JAMES BROWN, as *Attorneys, Solicitors, Notaries Public, and Procors*, at Hongkong, was dissolved, by the decease of the said JAMES BROWN, *on the 28th day of April*, 1857.

WILLIAM GASKELL.

Dated this 29th day of April 1857.

NOTICE.

THE Business hitherto carried on at this Port in my own Name, as *Ship Chandler & General Store-keeper*, will, *from the 1st day of January*, 1858, be conducted under the Style of BELLAMY & Co., for which Mr JOHN BELLAMY, JUN., is authorized to sign per procuration.

JOHN BELLAMY.

Amoy, 31st December, 1857.

NOTICE.

WE have established a Branch of our House, as *General Merchants & Commission Agents*, at BANGKOK, SIAM, *from the 25th August last*.

REMI, SCHMIDT & Co.

Shanghae, 1st October, 1857.

NOTICE.

THE Business hitherto carried on by the undersigned, will in future be conducted under the Style of STEPHENSON & Co.

JAS. STEPHENSON.

Hongkong, 1st January, 1858.

MR M. C. DO ROZARIO, is authorized to sign our Firm.

STEPHENSON & Co.

Hongkong, 1st January, 1858.

NOTICE.

MR ROBERT MUIRHEAD REDDIE, is authorized to sign the name of our Firm in China.

HOLLIDAY, WISE & Co.

Hongkong, 1st December, 1857.

In the Estate of HUGH WELSH, *late of the Firm of* CUBBINS & WELSH, *of Pagoda Anchorage, Foochow, deceased.*

NOTICE.—All Persons having Claims on the said Estate, will please to send them in to the undersigned; and all Persons indebted to the said Estate, are requested to make payment to the undersigned as Administrator, *on or before the 1st March* 1858.

FRED. HOWE HALE,
H. B. M.'s Officiating Consul.

British Consulate, Foochow,
9th November, 1857

In the Estate of the late HUGH CROSS GIBSON, *deceased.*

NOTICE.—All Persons having Claims against the said Estate, will please to send them in for liquidation; and all Persons indebted to the said Estate, are requested to make immediate payment to

J. GIBSON.

N.B.—I have empowered T. SUTHERLAND, Esquire, to receive, in my absence, all Debts due to the above Estate.

J. GIBSON.

Hongkong, 26th November, 1857.

Printed at the Office of the *China Mail*, Hongkong.—PRICE, $12 *per Annum*. Single Copies, *Thirty-six Cents*.
TERMS OF ADVERTISEMENTS,—Five Lines and under, *One Dollar*; each Additional Line, *Twenty Cents*—*One-half* of these charges for each Repetition.

Despatch No. 10 Enclosure 2.
February 28. 1858.

U. S. Legation.

No. 2 United States Consulate.

Foo Chow. Jan.y 21st 1858.

Sir,

I have the honor to acknowledge the receipt of your despatch of 28th Dec. enclosing copy of your letter to Mr. Jones.

In regard to the duty upon Opium, I have to inform you that this Consulate having refused to have anything to do with the levying of said duty, the Authorities addressed a letter to the foreign Merchants relative to the matter, & posted proclamations upon the walls for the information of Traders generally. I enclose copies of these. As far as I can ascertain, the duty on Opium is collected thus — A Custom House spy is put over the foreign godowns to watch if any opium is carried in or out. Whenever a sale is made the spy follows the opium to the house of the native purchaser, who is immediately reported to the Custom House, & compelled to pay the duty. It is quite evident that by such a

system

Hon: Wm B. Reed.

U. S. Commissioner.

&c. &c. &c.

system as this the Authorities cannot collect the whole revenue upon the Import. The combined cunning of the buyer and seller proving more than a match for that of the spy.

As Mr. Jones must have left Shanghae prior to the arrival of the "Yang. tze" I will endeavour to give you some information relative to the points referred to in your letter to him.

1st I now enclose copies of all the proclamations that have been issued relative to the Mexican dollar question.

2nd In reply to that part of your letter referring to the agreement on the part of the authorities to receive Mexican dollars at two per cent. discount, I have to inform you that the agreement was an informal one, & that it was merely "a conversational understanding"

3rd My letter of Jan. 7th informs you that there were no obligations taken for the duties withheld on American ships.

4th The "formidable obstacles" referred to in Mr. Jones's letter of Apr. 24th /57 came as he supposed from the Br. Consul. The opposition consisted in a want of co-operation on the part of

H. B. M.'s

H. B. M.'s Consul and in the vacillating course pursued by him. There was a rumour current at the time that H. B. M.'s Vice Consul had told the Haikwan to stop American Tea boats on their way to the Anchorage. The foundation for this report was based upon some hints thrown out by the Haikwan in a conversation with Mr. Jones. There is no connection whatever between this "opposition" & the Opium duty alluded to in Mr. Jones' letter of May 5th.

5th In reply to your last enquiry, I must confess my inability to tell you "what it all means?" I can however inform you that your information in regard to Mr. Jones' action in Sept. 1856 is quite correct.

I trust that you will excuse me if the information I have endeavoured to give you is not full & satisfactory. You will bear in mind that most of the matters alluded to took place before I entered upon the duties of Vice-Consul. The records of this office are rather bare of evidence relative to the duty question, & I am forced to derive much of my information from such conversations as I have had occasionally upon

upon this subject with the American merchants resident here.

You will note that I make no mention of the progress made in the payment of the back duties. I shall await your reply to my despatch of January 7th before addressing you further upon that subject.

I remain

Very Respectfully

Your most obt. servt.

Thos. Dunn.

U. S. Vice Consul.

Lé and Hú, expectant sub-prefects, with Yeh and Tsiu, titular under-prefects and expectant district magistrates, specially deputed to the opium office in Nantai in Fuhchau, hereby promulgate directions upon the business.

We have had the honor to receive the following orders from the commissioners in charge of the commissariat: "The seditious banditti from "Kiangsi having made a foray into this province "of Fuhkien, we have received orders from their "Excellencies (the Governor-general and Governor) "to call out the troops to destroy them, but the "expenses on this account are so enormous, that "it is necessary to adopt some scheme to provide "funds to meet the deficit." It appears that the prefect of Fuhchau and other officers have held a joint consultation on the subject, and have proposed that a tax be laid on opium temporarily to aid the revenue; they presented the plan to their Excellencies, who looked it over and gave orders for drawing up some regulations concerning it, at the same time reporting the same to the Throne; they also appointed two of us, Hu and Yeh, to attend to the general office in Nantai, and the other two, Lé and Tsiu, to open the office at Linpú for examining the drug, each to be furnished with proper seals to use in their duties. We have also conferred with the prefect of Fuhchau,

and other functionaries and drawn up certain regulations, which have been submitted to their Excellencies.

On the 7th of June, 1857, an office for receiving the opium duty was opened on the island of Chungchau in Nantai suburb, and a tollhouse at Linpii on the same day where it is to be examined. Hereafter those chests which contain forty balls are to pay a duty of one dollar on each ball; large chests weighing one hundred catties, or small chests of fifty catties, which contain the drug in mass, are to pay four dollars for every ten catties — the dollar to be seven mace two candareens weight in silver — and two candareens agio to be levied on each dollar as a fee for the office expenses. Only three sorts of opium chests come at present, but if other sorts are brought in future, one of them shall be opened, its balls counted or its contents estimated in catties, the chest measured, and then a proportionate rate levied upon it.

You merchants from Canton living in the foreign hongs, and you native dealers, all of whom have alike lived on the soil and eaten the produce of our common country, you ought, when the troops are called out on such an emergency, and the demand for supplies is pressing, assist in relieving the public necessities by willingly conforming to this mode of aiding the present difficulties.

As soon as a clean riddance has been made of these brigands, trade will revive and no longer be interrupted, and both state and people alike get the benefit of peace.

Having received orders to attend specially to this business, we shall devote our whole attention to it, sparing no trouble to make it efficient. The offices are now open, and all the regulations are written out, in conformity to the orders given; and we now communicate them to the persons living in the foreign hongs for their full knowledge of the temporary measure now adopted to increase the revenue and furnish supplies to the army by levying a tax on opium.

Having also received commands from the commissioners in charge of the commissariat, the same having been also reported in a memorial by their Excellencies, we now make them known, that when foreign opium has paid the duty, no officer will prevent its being used; when it passes the tollhouses, the military and civil officers there, on seeing the receipt from this office, will let it pass without hindrance. Let all therefore strictly comply with the regulations, carefully attending to every particular, reporting what is received for duty and what for office expenses. Let no one triflingly disregard them, so that the revenue suffer loss by em-

bezzlement and peculation. lest they bring punishment on themselves. Most peremptory are these orders.

Appended are the regulations and a copy of the seal to be used.

June, 1857.

Yeh, the prefect of Tsiichau, Chung, the sub-prefect, with Hwang and Tsái, the district magistrates of Min and Hauhwán, hereby conjointly issue clear commands concerning the collection of a duty on opium in order to assist the military expenses.

Whereas seditious banditti from Kiangsi having made a foray into the limits of this province of Tsiikien, we received orders from their Excellencies (the Governor-general and Governor) to call out the troops to suppress them, and it will not be difficult to set the day when they will be destroyed. Already have the soldiers and braves been assembled in great force, and the outlay for their equipment is so — enormous, that it is necessary to adopt some scheme to provide funds to meet the expense. We therefore together examined the list of imports, and found that the article of opium had lately come into very general use as a prevention against the bad effects of malaria, but it had never been inserted in the list of dutiable articles; the request was made that each ball of the drug should be taxed one dollar, and when it came in the mass that the rate of duty should be four dollars for every ten catties, — the dollar to weigh seven ~~mace~~ tsien ~~commanneers~~ of silver — and the duty to be temporarily applied to meet these pressing demands. We have had the honor to receive

from the commissioners, who have charge of the commissariat, the notice that they have examined this, and have requested from their Excellencies, (who have duly memorialized the Throne upon the subject) and have received orders to establish a special office for the purpose of levying this tax, and to be issued the necessary commands to make it known through us.

Wherefore we now accordingly make known these orders. Let all the people and merchants within our jurisdiction know that henceforth opium is to be taxed to furnish revenue, and the subordinate officers are to allow it to enter for consumption. Stamped tickets will be issued from the special office, and when they are shown at the tollhouses and guardhouses, the articles will be allowed to pass, nor will the officers be allowed to detain it or extort money from the owners. If it be on board passage or other boats on the river within our jurisdiction, whenever these boats have been examined at the custom-houses they are permitted to go into the country wherever they please, nor shall any officer or subject be arrested or punished for having it. But if merchants or small dealers dare to smuggle the drug, they shall, on detection, be subjected to severe punishment according to the laws, and no favor be shown. Let all therefore com-

lingly obey these special orders without any demur or delay.

June 15th 1857

Dispatch No. 10. Enclosure 2 V.
February 26. 1858

Macao. February 17th. 1858

My Dear Sir,

In our conversation the other day and note from Mr Blanchard confirms it, that you meant to establish the Consulate and hoist your flag on board the Democrazia or some other vessel of the kind. Permit me to enquire whether in such vessel opium or any other contraband article is likely to be stowed for disposal up the river or any where in China. In such case I object strongly to such location of the Consulate. I will in no event agree to it. I would rather a thousand times there should be no Consulate, than such contamination. If this wish be disregarded - I beg you to understand I doint expect it will - I shall at once report the fact to Washington.

Truly Yrs
W. B. Reed

O. H. Perry Esq.

Despatch No. 10. Enclosure 2 W.
February 26. 1858.

Unofficial.

Hong-Kong. Feby 18th. 1858

My Dear Sir,

I duly received your note of yesterday in reference to my locating the Consulate on board the "Democratia" or some other vessel of the kind and requesting me to inform you whether in such vessel, opium or any other contraband article is likely to be stored for disposal up the river or anywhere in China. Upon its receipt I immediately wrote to Messrs Thomas Hunt & Co, the owners of the "Democratia" upon the subject, and they in reply state, that it is not, neither has it been their intention to imbark in any contraband trade at Whampoa. A copy of my note to them and their reply I herewith enclose. If after this response of Messrs Thomas Hunt & Co you shall desire that I shall find other quarters, I shall most certainly do so, but I think that it will be very difficult for me to find proper quarters immediately. I have had a conversation with Dr Winchester H. B. M. Vice Consul and acting Consul, who is to be located at Whampoa, and he informs me that he has been unable

His Excy Wm B. Reed
U. S. Minister Plenipotentiary
&c &c

as

as yet to hire a vessel on which to hoist his flag although he has been negotiating for one of Thomas Hunt Co's chops, but in case he is unsuccessful, he is in a more fortunate position than I am, having a man of war to fall back upon, and which is the case with the French Consul.

I beg leave to add that I am in every way most anxious and desirous to carry out fully your wishes and instructions.

Understanding that you intend to return to Hong-Kong on Monday next I shall remain here to await your arrival and consult with you upon the subject.

I have the honor to be

Sir,

Your most Obt Servt

Oliver H. Perry

Despatch No. 10. Enclosure &c.
February 26. 1858

U. S. Legation.

No. 3. United States Consulate.

Foo Chow. Jan.y 22nd 1858.

Sir,

I last had the honor to address you on 21st inst. & have since received your despatch of Jan. 15th

I regret to inform you that many of the Br. firms here have not paid their duties due upon shipments per American vessels. I have given to H. B. M.'s Consul a statement of the case, requesting him to use his authority in settling this unfortunate affair. H. M.'s Consul has written, I believe, to Sir John Bowring for instructions.

I note that you consider "some responsibility" as resting upon me in regard to the withholding of duties due upon American vessels. I do not understand how you arrive at this opinion. From 1st Oct. 1857 to 31st Dec. 1857 I acted under the orders of a principal who was during that time in China, and with whom

Hon. Wm B. Reed

U. S. Commissioner &c. &c.

whom I was in constant correspondence. It appears to me that prior to Mr. Jones' departure he alone was responsible for any official acts issuing from this Consulate.

I should feel obliged if you would give me your opinion as to the right of a Consul to grant either a sailing letter of Am. flag to vessels not built in the United States but owned by citizens thereof.

I am,
Sir,
Very Respectfully
Your most obt. servt.
Thos. Dunn.
U. S. Vice-Consul.

Despatch No. 10. Enclosure 24.
February 26. 1858

No. 2. United States Legation.

Macao. February 1st 1858

Sir

I duly received your letter No. 2 of 21st & No. 3 of the 22nd ult. In saying that a responsibility of some kind rested on you as to the duties withheld or unpaid by the English Merchants at Fou Chau, I did not mean to pass any censure. On the contrary your official conduct, following the course prescribed by Mr Jones, was approved fully by me — and yet anxious as we both are that the Chinese Treasury should not be deprived of a dollar — belonging to it - and as the amount in arrear though due by English Merchants was withheld in consequence of what you did, I meant rather to stimulate you to renewed effort to secure its payment than to find any fault.

Sir John Bowring has promised me to do his best to persuade the delinquents to pay the amounts withheld and unless I learn from you by the next mail that it has been done I shall call his attention again to the subject.

In

Thomas Dunn Esq.

Vice Consul. Fou Chau.

In answer to your enquiry as to vessels not built in the United States but owned by their citizens, I beg to refer you to Chapter 23rd of the Consular Regulations prescribed by the President on the Duties of Consular Officers in respect to American owners of Foreign Built vessels, where you will find the rule prescribed. Any specific enquiry I will answer with pleasure. Direct all letters as usual to Hong Kong where my agents are James Purdon & Co.

I am, Sir
Very Respectfully.
Your obedient Servant
William B Reed

Wang, Governor-general of Fuhkien and Chehkiang, deputy censor and superintendent of the provincial revenue, with King, Governor of Fuhkien, deputy censor and commander of the provincial forces, hereby issue their orders for the circulation [of dollars] that the people may be benefited.

Whereas the English and American consuls having requested that new and old foreign dollars may be taken in traffic according to one and the same rule, we communicated on the subject with H.E. Baron Yeh, the Governor-general at Canton, who has replied as follows:— "In 1853, Mexican and other "sorts of foreign silver coins were brought to Canton, "and the various shops and mercantile houses re- "peatedly requested to have them come into general "circulation. I accordingly directed that they should "all be received on the same principle, but if "their intrinsic value should be found to differ, then "they should be carefully distinguished and their value "fixed. At present they all freely circulate in this "port, and it would be well to have the same rule "apply with you."

Further, it also appears that the tea-merchant Ching Pau-shu, and the foreign merchants Messrs. Russell & Co. have together petitioned as follows:— "All merchants doing business in Fuhchau have "heretofore paid the duties to government in sycee

"or in Carolus dollars, rated according to the market
"discount to make them equal to it. In all mercantile
"transactions, sycee and chop. dollars have been taken
"at option. But lately all the foreign merchants
"have brought Mexican dollars, the silver of which
"is fully equal to the other, while ~~too~~ they are
"bright, round, and clean; and it seems highly de-
"sirable that they should pass currently in the
"same manner. We therefore request that they
"may pass here as at Canton with the chop-dollar,
"so that all silver coins in market may be equalized."

Again, all the brokers and shroffs within and without the city walls, have presented a petition to the prefect, stating that the silver coins brought to this port are unlike; that Spanish dollars have been commonly used in the market, but they also vary among themselves in value, some of them being light and injured, while those which were reckoned by weight and not by number, as the chopped dollars, were most widely circulated. Mexican dollars have lately been brought here, and are not so generally taken, but we have been deliberating upon the propriety of receiving them at the same rates; and we now humbly beg that you will communicate to the English and American consuls, and that commands may be issued to the foreign hongs, directing how they shall pass in relation to other silver coins, and injunctions ~ given

given to all the officers within the jurisdiction that they receive all on the same principle, treating all parties alike, and putting no obstacle in the way of the free circulation.

The prefect of Fuhchau, Yeh Shing-shau, having received the above petition, assembled the district magistrates to deliberate with them upon the matter, and their report has been presented. It appears that the Spanish dollars come altogether from foreign countries, and though they are not quite pure silver they circulate among the common people at different rates of discount just as the market value happens to fluctuate. Mexican dollars have only recently been brought to Fuhchau, and the traders, seeing their effigies were new, have doubted about them and declined to receive them freely. The foreign merchants, fearing that the common people would not be inclined to receive them willingly, and it would cause at last great obstruction to trade, have been much annoyed and disappointed, and both parties have been ready to blame each other. Now, both sorts pass without hindrance at Canton, and as they circulate from one place to others more remote, how can we be sure that they will not find their way everywhere? As to fixing the rate of discount [from excee] upon the various kinds of coin, let that be settled by the

market rates, for it is useless for the magistrates to deliberate upon such a matter, it will rather hinder business.

While issuing the necessary orders to all the prefects within this jurisdiction that they take measures to have the coins circulate everywhere among the people, and informing the English and American consuls of the same, we now further issue these plain commands. Let all officers, all merchants, and every class of people throughout the province of Fuhkien, know clearly that Spanish, chopped, Mexican, and all smooth dollars, whether now in circulation or brought from abroad, are all to pass current with Carolus dollars and sycee silver, and are to be received without hesitation. But if any of them should not be of the proper standard, then they are to be taken at a proportionate discount, such as the market rate may be at the time. The shroffs and bankers will not be allowed to interfere at their will to alter the rate, or to demands an extortionate discount for quality of metal, nor shall they combine to impede their circulation as they choose. The foreign merchants and those who deal with them shall also receive and pay them at the same rate, not declining to receive them after they have paid them out.

In

In this way, all classes of natives and all foreign traders will be alike convenienced in their business, traffic will daily increase, and the revenues of the state and the sustenance of the people, will also be improved. Let all therefore scrupulously obey without perversity, lest they involve themselves in unpleasant inquiry. A special order, promulgated August 18th 1857.

Second Edict on the same subject.

Wang, Governor-General of Fuhkien and Chehkiang, &c., &c., with King, Governor of Fuhkien, commander of the provincial forces, &c., &c., hereby again issue their orders respecting the circulation [of dollars] that the people may be benefited.

(The previous proclamation is here repeated down to the last paragraph, after which it reads as follows:—)

We had already issued orders to all the prefects under this jurisdiction to comply with the above regulations in order that these several coins might come into general circulation; and the prefect of Fuhchau had likewise informed the English and American consuls of the same; and express proclamations had also been promulgated that the same rules for receiving them should be observed throughout the provinces, and no one be allowed to obstruct their circulation, or extort

on the ground of their being debased:— all this had been done when the Tea-merchant Nieh Tai-hwa, and the tea broker Ching Pau-shu, with the foreign merchants Russell & Co. presented a petition to the following purport:—

"The silver in the Spanish and Mexican "dollars is really of the same kind, and there is "no reason why the shroffs and bankers should, "to further their own selfish ends, charge a "rate of discount on the latter coins from 18 to 8 "per cent., injuring people very much, and putting "great obstructions in the way of trade, so that the "Mexican dollars do not circulate freely. We beg that "strict orders may be issued forbidding it, and in- "junctions sent throughout the province to all "informing them that both of these kinds of dollars "have been assayed and found not to differ intrinsically. "At Canton all kinds pass current by one rule, "and not above one or two per cent. discount is "there charged by the bankers for the difference of "assay from pure sycee. It is very wrong and un- "just for the bankers in Fuhchau to act so pre- "sumptuously in obstructing business as they "please, and paying no regard to the assay made "of the coins in order that they may get their own "profits by charging a high discount."

Accordingly we issue these orders to the assayers or money shops and to all the bankers in

Fuh-

Fuhchau. to require them to receive the Spanish and Mexican dollars in their business on the same basis, charging no more discount for one than the other; and also make this plain proclamation. Let all shopkeepers, bankers, merchants, and business men of every kind in this province know fully, that Spanish and Mexican dollars having been found by assay not to differ, and being also taken at Canton according to one rule, are henceforth to pass according to one and the same rule. Let there be no further discussion respecting the rate of discount you should charge. Foreign merchants will also pay them out and receive them by the same rates, nor shall any one decline capriciously to receive them in payment. The revenue of the country and the business of the people will then both increase. On the appearance of this second proclamation, let all classes of people receive these coins by the same standard. If the bankers pretend to obey but secretly refuse and resist it, and scheme how they may clog the wheels of traffic for their own selfish extortion, there will be but one law for them all, and they will subject themselves to a strict examination and punishment, in which no leniency will be shown. Let every one therefore obey without opposition.

October 15th 1857

Edict from the prefect of Tuhchau.

Chung, acting prefect of Tuhchau, Tsai, expectant prefect and acting collector of customs of the port and sub. prefect, Hwang, district magistrate of Min, with Tsiu, acting district magistrate of Haukwan, hereby jointly issue these orders respecting the circulation [of dollars] that the people may be benefited.

(Here the previous edict of the Governor General & Governor is quoted and promulgated.)

Dated August 1857.

Dispatch No. 10. Enclosure 3a
February 26. 1858

Consulate of the United States
Singapore 15th January '58

To His Excellency
The Hon'ble William B Reed
&c &c &c
Legation of the United States to China

Sir

I have the honour to forward you the last advices from India. I would particularly draw your attention to the last paragraph of the extract from "The Friend of India" (a very ably conducted periodical) which may somewhat foreshadow coming events. Oude and its capital will probably witness the close as they did the outbreak of rebellion.

The peace of Singapore and the Straits Settlements remains undisturbed — during the past year rumours of — impending dangers from disaffected Asiatics have caused temporary alarms; but our insulated position, mixed — Population, and untiring vigilance will preserve tranquillity whilst the importance & prosperity of the Port is daily — increasing

I am
Very Respectfully
Your obedient Servant
Thomas Biddle
United States Consul.

Despatch No 10. Enclosure 3b.
February 26. 1858

U. S. Consulate General
Calcutta. January 23rd. 1858

Hon. Wm. B. Reed
U. S. Commr to China

Sir,

I take the earliest opportunity of replying to your favor dated December 23rd. 1857.

We have few matters of interest to Americans except such as relate to mercantile affairs. Troops continue to arrive daily from England and the upper provinces are gradually becoming more settled and peaceable. The commander in Chief is still at Futtyghur which it is supposed he will make his head quarters for the present; the main army of the mutineers is concentrated at Luckenow but has the means of escape, the British Army not being strong enough to surround them, Oude being still in open rebellion.

The King of Delhi is to be brought to a Court Martial on nineteen charges and will most probably pay the penalty of his crimes.

As the country becomes tranquillized, affairs are assuming a more healthy tone and produce is gradually rising in value. Freights

continue

continue rather low, but Exchange rules high owing to the difficulty of knowing whom to trust.

We have now thirty-eight American ships in the Hooghly mostly of large tonnage whose destinations will be shown by a reference to the annexed circular. We have however no men-of-war, nor have they for some time visited this port, — notwithstanding the magnitude of the American interests here, and the fact that we have the best docks and docking facilities in India. We have quite a fleet of English men-of-war here under command of Commodore Watson, consisting of the Chesapeake, Pearl, Himalaya, Pelorus, Assurance, Mohawk, Pylades, Megæra and Roebuck.

Having no further matter of Interest to communicate

I have the honour to be
Sir
Your faithful servant
John E. Amory
U. S. Vice-Consul General.

Despatch No. 10. Enclosure 4
February 26. 1858.

Macao February 15 1858

To

His Excellency
the Honorable W. B. Reed
Envoy Extraordinary and
Minister Plenipotentiary to
China.

Sir

With reference to the claims of James Purdon & Co for losses caused by the hostilities between the English and Chinese, and more particularly for that portion of them relating to the property in store in our packhouse on Honam in October 1856, as per sheet "D" in the list of claims of J. P. & Co.; I beg to state that on the day of the raising of the blockade of Canton, 10th instant, I proceeded thither having been kindly furnished by yourself with a passage in the U. S. chartered steamer "Antelope", and on arrival off Canton at 3. P. M. on 11th instant I immediately took a boat, and in company with Dr S. Wells Williams, Secretary of Legation

who kindly offered to accompany me, landed at the packhouse.

We found the gates both of the courtyard in front, and of the packhouse, wanting; the wooden partitions between the divisions in the packhouse carried off; the whole building as open and exposed as any thoroughfare could be; and not a particle of the former valuable contents remaining. In the two rear compartments of the packhouse were some forty three empty Hinang tubs.

On seeing us land a few of the Chinese of the neighborhood collected together, and to questions addressed to them by Dr Williams replied that the greater part had been pillaged in the first and second Chinese months of last year. This corresponds with the information we received at that time, as mentioned in James Purdon & Co's letters of February 5 1857 to H. Ex: Dr Parker U. S. Commissioner, and to Mr Perry U. S. Consul. They also stated that

after that plunder by the Chinese soldiers, thieves had broken in and carried off what had been left, the neighborhood having moved away from the place.

In passing the pathhouse in the steamer I pointed it out to Your Excellency, and you could see there were neither doors nor windows remaining.

In conclusion I have to say that I do not address this communication to Your Excellency with the object of more pressingly urging our claims which I am well aware have raised and are receiving from you all the attention their magnitude and hardship call for; but to recapitulate circumstances which are immediately communicated to you verbally by Dr Williams and myself, and to place upon record the result of a visit to the pathhouse, made directly upon the removal of the blockade, which has taken away all hope of recovery of any of

our property stored therein at the time of the breaking out of hostilities in October 1856.

Referring to the statements enclosed in the letter of James Purdon No to the U.S. Consul Mr Perry, dated January 26 1857, for the fullest particulars of our property, and claims therefor,

I remain

with much respect

Your obedient Servant

James Purdon

Despatch No. 10. Enclosure 5a.
February 26. 1858

Legation of the United States
Minnesota HongKong.
February 22d 1858.

My Dear Sir

It may be necessary for me before I leave here to prepare for the Commodore some suggestions as to the disposal of the squadron in case our —— negociations at Shanghai fail and we have to go to the north. In this I shall be guided very much by your judgment on which as well as your disposition to assist me I have entire reliance.

Do me the favour briefly to say what your advice is, supposing that we leave Shanghai early in April.

Which is the season when I understand you to say, from rain &c operations would have to be suspended and when can they be resumed?

Where ought coal ships to rendezvous? Would it be desireable on leaving Shanghai for me to have the squadron concentrated at Nagasaki or defer a visit to Japan till weather drives us there?

It is not likely that our relief squadron or at least the Commodore's flag ship the Powhatan will be here before the middle of April.

I shall be glad to hear from you if you have time to write before I leave here which will not be

before

before Thursday. The Antelope follows me to Manila with the mail.

There is nothing new here. Lord Elgin arrived on Saturday but except in church I have not seen him. Yeh goes to day to Calcutta.

My Dear Count Pourtalès

Truly Yours

William B. Reed

Despatch No 10. Enclosure 5-b.
February 26. 1858

Macao. February 22, 1858

Dear Sir,

Your letter reached me this evening and I hasten to reply to your Excellency's questions.

My movements from Shanghae, if the negociations prove a failure, will mainly depend on the new instructions I am expecting from St. Petersburg and the arrival of our ships from the Baltic— However, if the forces of the Western Powers and your Squadron move to the Gulf of Pecheli early in April, I will follow them; in the contrary case, it would be useless for me to proceed with a single ship to Peiho and I will wait the arrival of our Squadron at Shanghae.

The best months for operations on shore in the gulf of Pecheli are April and May when the weather is for the most part clear and the heat is not intolerable. In the month of June and especially in its latter part the air is rarefied to such a degree, that it is difficult for weak persons to breathe and this continues till the rainy season sets in, which is usually about the beginning of July. The rain comes then

His Exc. the Honble.
William B. Reed
&c &c &c

them in torrents and the low flat grounds become almost impassible. All this applies properly to Pekin and the country about it, but from their vicinity to the sea coast, the same state of weather at that time must be expected to prevail in the Gulf of Pecheli. This rainy season lasts for six or seven weeks with light S. E. winds and at the end is accompanied by violent thunderstorms and a change of the wind to the N.W. About the last days of August the periodical rains cease and the month of September with the greatest part of October are the healthiest and the best for the renewal of any operations on land. If a blockade of the coast is intended to be enforced, to be effectual it must be established not later than the beginning of April and ought to be continued during the prevalence of the Southern monsoon in the China Seas.

The most convenient place for the rendezvous of coal ships is the anchorage in the Strait of Mia-tao between an island of that name and another called Chang-Shan. These islands are inhabited, are only 150 miles from the river Peiho and present a good shelter from easterly and northerly winds.

Nagasaki is one of the finest harbours in the world and being about 750 miles from Pei-ho, is not much further from that river

than

Shanghae. Your Squadron may be concentrated there for any operations in the North, but negociations with the Government of Japan, to avoid delay, ought to be carried on at Simoda, which is close to Yeddo.

I intend to be at Hong Kong on Wednesday morning and will be very glad to give you any further details on the above mentioned subjects.

Assuring your Excellency that I shall be happy to assist you in every way that is in my power and requesting you to consider me always at your disposal,

I remain Dear Sir

Yours truly

C. Pontalina.

Rec'd 16 June. Mr Dimick

Legation of the United States,
Shanghai, March 31. 1858

The Hon'ble Lewis Cass
Secretary of State
Washington

Sir.

I have the honor to advise you that I have this day drawn on Messrs. Baring, Brothers & Co my bill for £258.5.3 for amount of salary for this Quarter, being at the rate fixed by the State Department of $4.84 per pound Sterling.

The rate of exchange on the day the bill was sold was Four Shillings Ten Pence (4/10d) per Dollar as per annexed Certificate, making it equivalent to $1068.66. For the loss by exchange, which amounts to $181.34, I have drawn on the Department at Thirty days' sight in favor of Messrs Russell & Co my bill for $226.67 (which includes the loss by exchange on Washington, now at Twenty per cent (20%) discount) to which please give due honor

I have the honor to be
Respectfully Your's
S. Wells Williams
Secretary to Legation & Chinese Interp.r

Account Sales of Exchange drawn by S. Wells Williams Secretary and Chinese Interpreter to the Legation of the United States in China

8			
ch	1 Bill on Messrs. Baring Brothers & Co for £258.5.3, at 30 days sight at 4/10d stg. per dollar equals	$ 1068.66	
	1 Bill on the State Department for $226.67 for loss by exchange on the above, at 20 per cent. discount equals	181.34	
		Dollars	1250.00

E. & O. E.

S. Wells Williams

Legation of the U. S. A.
Shanghai 31 March 1858

Certificate

We hereby certify that the rate of Exchange in Shanghai on the 31st day of March 1858 for Bills drawn on London was Four Shillings Ten Pence sterling (4/10) per Dollar; and that the rate of Exchange for drafts on Washington was Twenty per cent discount (20%) on the dollar in Washington

Shanghai, 31 March 1858 Russell & Co

Duplicate Rec'd July. Mr Derrick

Legation of the United States,
Shanghai, March 31. 1858

The Hon. Lewis Cass
Secretary of State
Washington

Sir,

I have the honor to advise you that I have this day drawn on Messrs. Baring, Brothers & Co my bill for £619.16.7 for amount of salary for this quarter, being at the rate fixed by the State Department of $4.84 per pound sterling

The rate of Exchange on the day the bill was sold was Four Shillings Ten pence (4/10) per dollar as per annexed Certificate, making it equivalent to $2564.80. For the loss by exchange which amounts to $435.20, I have drawn on the Department at 30 ds in favor of Messrs Russell & Co: my bill for $544 (which includes the loss by Exchange on Washington, now at (20%) Twenty per cent. discount) to which please give due honor

I have the honor to be,
Sir, Respectfully Your's

William B. Reed.
Envoy Extraordinary and
Minister Plenipotentiary U. S. A.

Account Sales of Exchange drawn by William B. Reed. Envoy Extraordinary and Minister Plenipotentiary of the United States to China

58	1 Bill on Baring Brothers & Co for		
uch 31	£619.. 16.. 7 at 4/10[d] per dollar. equals	$2564.80	
	1 Bill on State Department for $544. for loss by exchange on above, at 20 per cent discount. equals	435.20	
		Dolls	3000.00

E. & O. E.

Legation of United States.
Shanghai. March 31. 1858

William B. Reed.

Certificate

We hereby certify that the rate of exchange in Shanghai for bills on London on the 31st day of March. 1858 was Four Shillings Ten Pence (4/10) per Dollar; and that the rate of exchange for drafts on the State Department at Washington. U. S. was Twenty per cent (20%) discount on the dollar in Washington.

Shanghai. April 2. 1858

Russell & Co

~~Ind. Sp. & A.~~

Official

No. 11.

Legation of the United States

Shanghai, April 3d 1858

Sir

I have the honour to inform you of my arrival at this port on the 24th ult. after a brief visit to Manila, at which place I met Commodore Tattnall, and concerted with him the measures necessary for the early concentration of the squadron under his command in the North of China. The "San Jacinto", Flag Ship is now here, the "Powhatan" and "Mississippi" being hourly expected. The "Minnesota" is at anchor off Woosung, her draught of water preventing her from passing the bar in the river.

Arrival at Shanghai from Manila

On my arrival, I found I was in advance of all the other Plenipotentiaries except Count Poutiatine. Lord Elgin however arrived on the 26th, and Baron Gros two days ago.

In

Hon: Lewis Cass

Secretary of State.

Letters for Peking sent from Suchau

In my last despatch (No 10) I informed you, that letters respectfully and urgently asking for an opportunity of negociation, had been — simultaneously addressed to the Supreme Council of State at Peking, and forwarded through the Governor of this province resident at Su-chau. Copies of these letters you have already. They were despatched by special messengers from this city, my letter being in charge of the acting Consul of the United States and his Interpreter, and the letter of the Russian Minister enclosed in the same envelope with mine. The English and French despatches were entrusted to the Secretaries of the respective legations and the Consuls. I annex the reports of the Consul of the United States describing their — reception (Enclosures 1a. 1b.). They succeeded in entering the provincial capital of Su-chau, where no foreign official had ever been before, though a desterous effort was made to keep them out, and when once inside were treated with courtesy by the Governor. He promised the messengers to forward the despatches to Peking, and addressed me a letter to the same effect (Enclosure 1c.) The letters were received at Su-chau on the 26th of February.

When I arrived at Shanghai on the 24th ult. no answer had been received, but intelligence of an interesting character reached me through

through the public journals.

On the 28th of January, as soon as the news of the fall of Canton reached the capital, there appeared an Imperial Decree (Enclosure 2a) degrading Yeh from office, subjecting Pih Kwei and the other inferior officials to what may be described as a Court Martial, and conferring the post of Governor General and Imperial Commissioner on Hwang Tsung-han, who was ordered to proceed immediately by express to perform the duties of his station and "manage the affairs of the barbarians". Appended to the decree you will find some notice of the antecedents of the Commissioner which are thought to be reliable.

Commissioner Hwang sent to Canton in place of Yeh

On the 15th February 1858, a decree was issued directing the casting of seals for the new official, a matter considered of much moment among oriental functionaries;- and on the 21st. of February (the date being important as showing that the Imperial Commissioner had not then left the capital or its neighbourhood,) a memorial was presented by him, praying for the appointment of a certain Peih Ching-chaou as a Secretary, his recommendation being that he had been on the coast and was acquainted with foreigners, and further asking for permission to go to Canton by the Seaboard route, through this province and city, so as

to

to have the means of conferring on foreign affairs with the local authorities. This was granted by the Emperor (Enclosures 2b, 2c,).

Though it is apparent the new Commissioner had left Peking before our letters reached the capital, there is no doubt that he was at or near Su-chau at the time a soon after they were received at that city. The Governor of Kiangsu was one of the persons whom on his way, Hwang desired to consult on the affairs of foreigners, and it was he to whom the letters were delivered, and by whom they were forwarded.

Reply comes from Peking refusing correspondence

It was in this state of affairs that after the arrival of Lord Elgin, Count Poutiatine and myself, on the 26th ult. through the agency of the Taoutai or Intendant of this City, answers were received by all except Count Poutiatine, to whom only a message was sent in the letter to me. I append translations of the answers to myself and the British Minister (Enclosures 3a, 3b,). That to Baron Gros, I have not yet seen, there not having been time for translation.

Unfriendly while it is civil

To the answer addressed to me I beg to direct your attention, simply remarking on its general purport that there is no substantial difference between it and the letter to Lord Elgin, these perverse officials seeming to be insensible to

any

any distinction between friends and enemies.

You will observe the same tone of apparent courtesy exhibited here as marked the letters of Yeh last winter, the same unmeaning profession, the same dexterous sophistry, and what is more material the same passive resistance - the same stolid refusal to yield any point of substance. On my arrival at Canton, I asked for an interview and it was refused because there was pending war, and no fit place in which to receive me. I have come to Shanghai, and am ready to go to any designated place in the neighbourhood, where all is peace and prosperity and contentment; and I am told, in language hardly courteous, that my proper place is Canton there to attend to my duties.

Assuming that the appointment and despatch of the new commissioner to Canton before my letter was received, is a justification of the Court for referring me thither, there is not a word in the whole letter to show that his instructions as to personal intercourse and my reception are different from those of Yeh, or that he has anything like full Powers or any powers to revise a treaty or to do more than to settle the local difficulty at Canton, which, whatever importance may seem to be attached to it from its having generated a war, has relatively little interest for the United States. The fact that the

Hwang seems to have no powers to settle all points

functions

functions of Governor General and Imperial Commissioner are united (the former being much more important in Chinese estimation than the latter) confirms this view that in reality the adjustment of local difficulties is the aim of his mission. When Keying made the treaty of Wanghia he was Imperial Commissioner, and not Governor or Governor General. I have no doubt that if, deluded by the thin professions of friendliness which these Chinese officials habitually use, I were to go to Canton, I should degrade myself in the estimation of the Chinese, and be rejected by Huang, as three months ago I was by Yeh. It is due to myself to say that no such idea ever entered my mind. I had besides precluded it by saying in my letter to Peking, that I should regard any suggestion for a removal of the proposed negociation further from the capital than Shanghai as a refusal.

Treaty allows right to correspond with Peking direct

I beg to call your attention to another part of this answer, the denial of our right to correspond directly with the high authorities at Peking. It is very explicit, and is put upon the ground that it is not according to the organic rule of the Empire for such correspondence ever to be tolerated. But this view can only be sustained by asserting that what is called the ancient custom or law is to prevail over a treaty ratified by the Emperor;- for nothing can be clearer than that, both by the English and French treaties, the right, and the duty of correspondence directly with Peking, is

expressly

expressly secured. Had the Chancellor (as this functionary at the Capital is denominated) made any distinction between the United States, and England and France, as respects this right of correspondence, there might be an inference that some regard was had for treaties, and that they were at least the subject of criticism. No such distinction is attempted, but treaty a no treaty, the right to correspond with any body at the capital is denied.

I have no doubt that under the very letter of the treaty we are entitled to the privilege, if for no other reason, because it was conceded to the French in a treaty of later date than ours; and because, by the second article of the treaty of Wanghia, it is —— provided that if additional privileges of whatever description should be conceded by China to any other nation, the United States in its political capacity as distinguished from its citizens, should be entitled to full participation in the same.

On general principles I should be sorry to believe that the United States would be willing to acquiesce in a construction, or that the distinguished citizen who negociated the treaty, meant to adopt a form of words capable of it, which would exclude us from a privilege conceded to others.

On every ground therefore I considered the reply as evasive, and unsatisfactory.

This

Resolve of all Plenipo's to go to Peiho together

This view which I formed on the first inspection of the despatch from Su-chau, I am happy to say is concurred in by the other Plenipotentiaries, and the determination is common to all not to return to Canton but to advance nearer to Peking, and still more urgently and impressively to make an effort for peaceful negociation. I enclose copies of the answers of His Excellency Lord Elgin and myself, those of the French and Russian Plenipotentiaries not being yet ready.

These answers, prepared without the least concert, differ in form and tone, but not in substance. Lord Elgin chooses to treat the refusal to correspond at Peking, as an indignity, and returns the letter to the Governor. I am very doubtful whether returning a letter will not be misunderstood by Chinese intellectual perversity, and may not be understood as a concession that it is unanswerable - but be this as it may, I see no objection to my answer being less peremptory in its tone, though I hope in substance equally decisive. Copies are sent herewith (Enclosures 4a, 4b, 4c, 4d, 4e)

They reveal our decision, without further delay to renew the experiment of negociation nearer to the Capital. The correspondence between this Legation and that of Her Britannic Majesty shows the reasoning which leads to this result (Enclosures 5-a, 5-b,) Every effort is now making to expedite the departure

of

of all. I have every reason to hope, that through the active exertions and zealous coöperation of Commodore Tattnall, the American Legation will be able to set out first.

What course of action will be adopted on our arrival in the Gulf of Pecheli, it is difficult to foretell with any thing like precision. Should the action of Great Britain and France be peaceful, though decisive and urgent, I shall unite in it thoroughly and completely. If hostilities recommence, obeying the spirit and letter of my instructions, I shall either continue a passive spectator of what is doing; or, what is more consonant with my own feelings, retire till a chance of peaceful interposition presents itself, — awaiting any further directions which I may receive from home.

Coöperation with allies to be peaceful

In this inaction, I shall, as heretofore, have the countenance of the Russian Minister, who has — recently, much I think to his surprise, and — unaccountably to every one here, not in the secrets of his Government, received new and positive instructions to abstain strictly from any measures of hostility except in cases of extremity. He informs me that, reserving for his own use a single frigate which he hourly expects, and the small steamer "America", on board of which he now is, he has sent orders to the rest of his Squadron to repair to Japan and the Northern ports in

Russians will coöperate peacefully

Russia.

Russia. You will observe that in Count Poutiatine's note to me of the 29th ultimo he specially refers to his instructions to further the demands of the United States (Enclosures 6a, 6b,).

This attitude of Russia in the existing complication of affairs is of course very agreeable to me as relieving me from the solitude of inaction, and supporting the peaceful policy I am instructed to maintain. It may well be doubted whether such instructions would have been given if the Count at St. Petersburg had known that the letter of its envoy would be absolutely unanswered, and a mere message sent referring him to the North as I am to the South.

Agreement of opinion among four Ministers

Still the President will fully understand that the Plenipotentiaries go to the North in perfect accord of opinion and intention, and in the hope common to all that the necessity of hostile action by any one or two may never arise but that the mere appearance of force and earnest intention may suffice. So hopeful of this seem the English and French Ministers, that I have every reason to believe they do not mean to await the arrival of naval or military reinforcements. Lord Elgin's language in reply to an address received from the English merchants a few days ago was this, "In my communications with the Functionaries

Lord Elgin's Address to British merchants

"of the Chinese Government I have been guided by two simple "rules of action. I have never preferred a demand which I "did not believe to be both moderate and just, and from "a demand so preferred I have never receded. These

"principles

"principles dictated the policy which resulted in the
"capture and occupation of Canton. The same principles
"will be followed by me with the same determination to their
"results if it should be necessary to repeat the experiment
"in the vicinity of the Capital of the Emperor of China."

"It is matter for me of the highest gratification
"to know that in pursuing this policy of combined
"moderation and firmness, I can count not only on the
"hearty coöperation and active support of the Representative
"of His Imperial Majesty the Emperor of the French, but
"also on the good-will and sympathy of the Representatives
"of other great and powerful nations interested with
"ourselves in extending the area of Christian civilization,
"and multiplying those commercial ties which are destined
"to bind the East and West together in the bonds of mutual
"advantage."

I think it best however to take with me all the available force I have, if it be only to show the Chinese that it is not the want of means which compels the United States to abstain from measures of hostility. I refer you to the accompanying correspondence with the Flag Officer in command as illustrative not only of the steps I propose to take, but (as I have had occasion to say before) of the earnest friendliness with which he supports me (Enclosures 7a, 7b, 7c.)

Shall now take all U. S. ships north

I hope the President and Secretary of the Navy will approve of Commodore Tattnall's —

Course

course, wholly unsolicited but most gratefully appreciated by me, in putting me on an equality with the European envoys as to the use of a flag.

The pressure of the correspondence on the leading subject at this moment prevents me from making any further communication to the Department on the current business of the Legation. There is nothing however of moment pending.

I have the honour to be,

Sir,

Your obedient Servant;

William D. Reed.

Index to Dispatch No. 11.

Shanghai, April 3d 1858

From	To	Subject Matter	Date
A.L. Seaman	W.B. Reed	Consuls & attachés to go to Suchau with letter for Peking	23 Feb. 1858
Do	Do	Particulars of visit to Suchau and delivery of letter	3 April "
Ho & Chau	Do	Acknowledging receipt of letter for Peking	27 Feb "
Peking Gazette		Emperor degrades Yeh & appoints Hwang in his post	28 Jan "
Do		Hwang memorializes for leave to visit ports on his way to Canton, and for an aid	21 Feb "
Ho & Chau	W B Reed	Conveying reply from Yu, who declines to correspond, and refers him back to Canton	21 March
Do	Lord Elgin	Conveying reply from Yu, who refers him back to Canton to settle difficulties	21 "
W B Reed	Ho & Chau	Declines to go to Canton, intends to go north	3 April
Do	Yuching	Reply this Ho & Chau unsatisfactory, goes north	3 "
Lord Elgin	W B Reed	Note inclosing for perusal drafts of	2 "
Do	Ho & Chau	Reply, returning their letter of 21 March & to	
Do	Yuching	Reply, expressing dissatisfaction with refusal to treat, and intention to go north	2 April
W B Reed	Lord Elgin	Acknowledges above, & agrees to a peaceful coöperation	2 "
Lord Elgin	W B Reed	Inclosing translation of reply from Ho & Chau	1 "
Ch. Putiatine	Do	Sends an extract from a dispatch from Russia	29 March
W B Reed	Ch. Putiatine	Reply, agreeing to the peaceful coöperation north	29 "
J Tattnall	W B Reed	Incloses copy of an order sent to	26 "
Do	Capt. Dupont	Directs him to fly flag at the main when W Reed aboard	26 "
W B Reed	J Tattnall	Thanks for the courtesy of the flag, disclosing a plan of future operations	29 "

William D. Reed

Dispatch N° 11 – Ex 1a
April 3. 1858

Exhibit 1a

United States Consulate.
Shanghai February 25th 1858.

Sir.

I have the honor to acknowledge receipt of your letter of the 10th inst containing instructions relating to the despatches by the "Mississippi" which reached me on the 24th inst.

In accordance with those instructions I immediately communicated with Mr. Oliphant in regard to their transmission to the Chinese Authorities.

At a meeting of the Consuls of the Treaty Powers in connection with the Secretaries of their Excellencies Lord Elgin and Baron de Gros, it was thought advisable that the despatches should be forwarded together. and that to ensure their safety and perhaps facilitate their transmission to Pekin it would be better to place them in the hands of the Viceroy of the Provinces in person.

With this intention the English and French Consuls

To the
Hon. William B. Reed.
U.S. Minister to China.
&c &c &c

Consul and myself have arranged to accompany Mr Pethant and H.B. Conteen in their journey to Su-Chau the Capital of this Province.

A Communication has been made to the Viceroy under Cover of me to the Taotai of this place informing him of the intended visit.

We leave Shanghai tomorrow morning, I have arranged with Mr John A. Wheelock to act as Consular Clerk during my absence which I now anticipate will be about five days.

I will write you again on my return informing you as to the success of this visit.

I have the honour to be
Sir. Your Obt Servt
Albert D. Freeman.

Dispatch 11 – Eg. 1st
3 April 1858

1.6

Shanghai April 3rd 1858.

Sir.

Referring to my letters of February 25th and March 5th in relation to the Despatches received by the Frigate Minnesota, I beg to give you in accordance with your request, a brief account of the journey to Soo-chow, and the interviews with the Governor of this Province, to whom the Despatches were delivered for transmission to Pekin.

In Company with the Secretaries & their Excellencies Lord Elgin and Baron Gros, the French, and English Consuls I left Shanghai on the 24th day of February, in a Native boat.

On starting, the flags of the different Nations represented were hoisted upon the several boats composing the party.

We sailed up the Wangpoo River some twelve miles the first evening, and

Came

Hon. William B. Reed.
United States Ambassador
To China.

came to an anchor, Early on the following Morning we again started, and during the day entered upon the Canal leading to the Harbor.

We Crossed this Lake in the early part of the same evening and entered upon the Canal which forms the water Communication with the City of Soo-Chow.

About 9. O. Clock in the evening being some six miles in advance ~~of the rest~~ of the rest of the party we were hailed by persons upon a boat Coming in an opposite direction, one of whom represented that he was a Messenger sent by the Governour, who was waiting at a place called Kwan Shan to hear any Communication we might have to make.

Knowing that the Governours readiness to receive us at Kwan Shan (which place was some Sixteen Miles this side of Soo-Chow) had more to do with a Chinese policy manifested on a similar occasion, to prevent an entrance into the city of Soo-Chow, I immediately Communicated to him through Mr Tenkins My Interpreter

a

a Message for the Governour, to the effect that we were bound for Soo-Chow and could not change our route for any other place.

The Official immediately left us with the intention of proceeding to Kaou-Shan to inform the Governour of this Message.

At Sunrise the following Morning we came to an anchor under the walls of Soo-Chow. At about 7. O. Clock all of the boats connected with the Expedition had arrived with the exception of the English Vessels which had not been seen since the previous Evening.

We waited about an hour for him, but seeing no signs of his speedy arrival, and as it was important to obtain an entrance inside the City before it became noised abroad that we were in the vicinity, we determined to push for the water-gate which led into the city.

We proceeded up the Moat which surrounds the City walls until we arrived at one of the Gates.

On entering the Arch, the Gate Keepers seeing

seeing that we were foreigners attempted to close the gate, but not succeeding in their attempt we passed through into the inner Moat. We made our way up this Moat about half a mile and came to an anchor.

At about 10. O'Clock A.M. a Messenger arrived stating that the Governor had arrived, and was waiting outside the walls to receive us.

Word was sent to him that we were inside the City and would call on him at his official residence within the walls at any hour he might name, also requesting him to send Sedans for our conveyance to his residence.

Some little time was consumed in receiving an answer, and about 1. O'Clock Mr Lay the British Inspector at the Custom House in Shanghai, who had accompanied Mr Oliphant, was sent for by the Governor, and on his return stated that Sedans would be at the landing at 3. O'Clock P.M. to convey us to the Governors residence.

About 4. O'Clock we started.

From

from the landing place and after a journey of two miles through the City we arrived at the Gates, and were received with a Salute of six guns.

We were then introduced by the Interpreters, and Messrs Oliphant and Contrades delivered a Despatch, requesting the Governour to forward the Enclosures with all possible speed to Pekin, also to forward an acknowledgement of their receipt, to us, open. in order that we might see that the style was correct.

After having partaken of Refreshments we proposed receiving the Governour outside of the City on the following morning and immediately returned to our boats and proceeded outside the walls.

On the following day at 11. O. Clock the Governour's approach was announced at the place agreed upon for an interview. We then extended to him the Courtesies of the occasion and after wishing him rapid promotion, and the etceteras of a happy official life we returned to our boats and

started

started for Shanghai where we
arrived on the following evening.

I have the honor to be
Sir.
Your Obd't Serv't
Albert L. Fleiman.

Despatch 11 - Eph. 1c
3 April 1858

1c

A communication in reply.

Mo, Governor General of the Two Kiang &c &c &c

and

Chaou, Governor of Kiang-su

&c &c &c

sends a communication in reply as follows —.

On the 26th instant I received a despatch from Your Excellency handed to me by Mr Secretary Oliphant. I immediately opened and read it; and found it to enclose two communications for the Minister of State. On the same day I gave intimation of the above to the Governor general; and also enclosed the several despatches received, which I forwarded to Pekin without delay or fail.

I have now to give you this reply and take the — opportunity to wish you all happiness, peace, and felicity.

Further the Governor General being at present at a distance at Changchow, I am only able to attach his name but not his seal, to this despatch.

A necessary communication.

His Excellency

Mr Reid

Commissioner for the U.S. of America.

&c &c &c

27th Febry 1858.

Thus translation

John R. L. Meadows

Interpreter

Dispatch 11 - Encl 2a
2a 3 April 1858

(From the North-China Herald. Feby 27)

Imperial Edict.

Muhkitenar and Pehkwei, in a joint memorial forwarded by express, have reported to Us, that the Barbarians have rushed into their provincial city, &c &c &c.

Holding the office of Imperial Commissioner, for the direction of the affairs of the Barbarians, Yeh Mingchin ought to have devised means to keep in check the said Barbarians, if their demands were indeed so unreasonable and extravagant that they could not be granted; also he ought to have conferred with the commandant, the governor, and other officers of the city, so that measures for soothing and controlling them might have been seasonably adopted.

But while the said Barbarians did twice address communications to the commandant ("Tartar General"), the Governor (Pehkwei) and the major-generals of Canton, the said Governor-General Yeh Mingchin never once associated them with himself in council or in action; nay, many things that were contained in the communications (from the Barbarians) he kept secret and would not divulge.

Thus

Thus day after day for a long time he dallied with and put off the Barbarians, till excited to wrath they suddenly entered the provincial city.

So very self-sufficient and obstinate was he, perverse and reckless, utterly disregarding the duties of his high commission!

Let Yeh Mingchin, therefore, be immediately degraded from his office.

To the other provincial officers of Canton—Muhkitenar the commandant, Pehkwei the governor, Chwangki and Chaoangling major-generals, Hangki the Commissioner of customs, Kiang Kwohlin the Commissioner of Finance, and Chau Kipin the Commissioner of Justice—though all more or less guilty of a dereliction of their duties in affording protection (to the city), yet inasmuch as they were not in the council of the said Governor-General, some indulgence may be shown; and, instead of dealing with them rigorously according to the full measure of their guilt, as they have requested, let them be delivered over to the Board of Punishment. This is from the Emperor.

Imperial Edict

Let the Governor-Generalship of Kwangtung and Kwangsi be given to Hwang Tsunghan, and let him proceed immediately by express to perform

perform the duties of that station; also let him receive and hold the seals of Imperial Commissioner, that so he may manage the affairs of the Barbarians.

Until he shall have reached, and entered on, the duties of that station, let whatever appertains to the office of the Imperial Commissioner and to that of the governor-general of Kwangtung and Kwangsi be taken charge of by Pihkwei; and let the office of governor of Kwangtung be temporarily filled by Kiang Kwohlin. This is from the Emperor.

Dated 12th moon, 14th day

(Jany, 28th, 1858)

Notes.

The antecedents of some of the above named officers are very well known, and need not here be knotted.

Hwang Tsunghan is a native of the province of Fuhkien; in 1851 he held the office of provincial judge, or Commissioner of justice in the province of Chehkiang; and in 1853 was treasurer or commissioner of finance in the province of Kansah. He is now, if we mistake not, holding the office of governor general of Szechuen. To which of the two great political parties he adheres we do not know; we are inclined to think, however, that he is opposed to the liberal party of which Kiying and Muhchangah were leaders and if so he

is

is probably a leading man in the present hostile party, that upholds the old exclusive policy.

Muhkitenar is a Manchu, and so also is Chwangling; Pehtewei is a Mongolian, as is likewise Chwangki; Hangki is a member of the imperial household; Kiang Kwohlin is a Chinese, a native of Szechuen; and Chau Kipin is a Chinese and a native of the province of Kweichau.

In the two Edicts, given above, there is nothing to indicate the date of the memorial on which they are founded; the report of the commandant and governor may have been made, and probably was sent off for Peking, prior to the time those two officers were made prisoners.

Dispatch 11 - Exh. 2[b] 2[c]
3 april 1858

26

Extracts from Pekin Gazettes
Dated 15th February 1858
Edict.

We now command you - the president of the Board of Rites to cast two seals - one for the post of Governor-General of the Two Kwang, and another for the post of Salt Commissioner of the Two Kwang - and when finished you will hand them over to the Privy Council that the president may despatch them to Kwangtung. These are our commands.

I, the President of the Board of Rites memorialize Your Majesty praying that your Majesty will command that I be furnished with the form of the seal of the Governor-General of the Two Kwang.

Exh. 2[c]

Dated 21st February. 1858.
Memorial.

I, Hwang-Tsung-han, Governor General of the Two Kwang, and Imperial Commissioner for foreign affairs at Canton, humbly memorialize your Majesty to give certain commands.

I beg to state, that when I had the honor

to

to receive Your Majesty's commands appointing me Governor General of the Two Kwang and High Commissioner for the transaction of barbarian affairs, I memorialize stating, that I had found on examination, that Peih-ching-chaou, Commissioner of Finances of the Province of Ganhwuy had, while stationed on the sea board, filled the offices of Magistrate, Prefect, and Intendant; that he had always transacted his public business, while filling these posts, in the most able and successful manner; that he had always been able to gain the hearts of the people by his upright conduct; that, when on these posts on the sea board, he had transacted the business of the barbarians; and that he was consequently a suitable officer to accompany me.

I also memorialize Your Majesty stating that if I proceeded to Canton from Chihle by way of Shantung, Keangnan, Chekeang and Fuhkeen, that, as there were many fast vessels continually running between the ports of Shanghae, Ningpo, Fuhchau, and Amoy, I should, after passing Soochow, be able to learn in this manner the real state of affairs at Canton sooner; and respecting the barbarian affairs at each of the ports, I should also be able to see personally the Governor-Generals and Governors, of Keang-nan, Fuhkeen

and

and Chikeang to arrange such more satisfactorily.

Should Your Majesty be pleased to approve of my proceeding by the above-mentioned route, I have humbly now to request Your Majesty will also be pleased to issue commands giving permission to Peih-ching-chaou the Commissioner of Finances to start with and accompany me.

I shall be extremely grateful. I wait your Majesty's commands. I pray Your Majesty to cast a glance on my memorial.

A respectful memorial.

His Majesty has granted the request of Hwang-tsung-han.

Dispatch 11 - Exh 3a
3 April 1858

Ho Kwei-tsing, Governor General of Kiang-su, Kiang-si, and Ngan-hwui, &c &c. and Chau Teh-cheh, governor of Kiang-su, make this communication.

Your Excellency's communication of Feb. 10th. was duly received on the 26th of the same month, with one addressed to Yu, Chancellor of State, covering two -- despatches, which under a new envelope were at once forwarded to the Capital.

A despatch from Chancellor Yu has now come to hand, acknowledging the receipt of those two and signifying his thorough knowledge of their contents - declaring

That, at the present time England and France being engaged in military operations, America has in no way implicated herself therein, but has firmly adhered to the former Treaty and ever preserved good faith and integrity:

That Russia has never hitherto had commercial intercourse at the five ports, Canton &c; that last year, on account of investigations regarding

border

To His Excellency
William B. Reed
Minister Plenipotentiary of the U.S.A. &c &c

border-lines, made by the Russian Minister, Count Poutiatine, an Imperial decree was given, appointing a Minister to repair to the Black-dragon river (the Amour) to unite with him in the investigations; and that now whatever subjects may come up for deliberation should be as usual through the Foreign office and communicated by the Sa-na-teh Ya-mun, in conformity to the old regulations, so as to sustain peace and goodwill:

That Yeh, late governor general of Kwang-tung and Kwangsi, not having managed well, has already by the Imperial pleasure been degraded and deprived of all rank, and Hwang Tsung-han appointed Imperial commissioner, as his successor, to proceed at once to Canton, there to investigate and direct public affairs in a just and equitable manner; and that therefore the american Minister ought to be at Canton, waiting to perform his incumbent duties;

That hitherto our Imperial —— commissioners have never repaired to Shanghai, to direct and control in the transaction of public business;

That, under the administration of the Celestial Court, each office has its appropriate functions, and every one holding authority in our middle Kingdom must vigilantly attend to the duties of his own station, and has no right to intermeddle

with

with aught beyond his proper sphere; and therefore

That it is inconvenient (for me, the Chancellor) to take it upon myself to make a —— communication in reply (to the American Minister); all that relates to the above items, however, may be transmitted (in my stead) by Your Excellencies, the governor-general and governor, for I would not (seem to) lay aside his case and give him no answer.

The above having been received by us, and we having ascertained that, when Your Excellency's despatch left Canton, you were not aware that our Great and August Sovereign had already appointed Hwang to be the new Governor-general of Kwangtung and Kwangse and fill the office of Imperial Commissioner, and that he had post-haste proceeded to Canton, there to investigate and direct public affairs; therefore Your despatch having come into our hands, and now Hwang as Imperial Commissioner and governor-general having already proceeded on his way to Canton, it is proper for us to communicate for Your Excellency's examination and action, so as fully to meet present exigencies (be at your post in Canton).

Moreover Your Excellency will please communicate (for us) with the Russian Minister, for his examination and guidance, that he may await

a

a communication from the Foreign Office.

We avail of this opportunity to offer our best wishes &c &c

P.S. The Governor general being absent at Shungchau unites his official title, but does not affix his seal of office.

May this communication reach him to whom it is addressed.

P.S. March 21st. 1858

Dispatch 11 - Encl 3
23 April 1858

Copy

Rec^d at Shanghai, 26 March.

Ho, Governor-general of the Two Kiang, &c. &c. and Chau, Governor of Kiangsu, &c. make a communication.

On the 26th of February, we received Your Excellency's communication of the 10th February, together with that addressed to the Secretary of State Yu (Yuching), which we immediately transmitted to the capital in a sealed cover.

We are now in receipt of a letter from the Secretary of State Yu, to the following effect:—

"I have perused the letter received [from "Y. E.]. and have acquainted myself with "all that it relates to. In the 9th moon of "the year before last (Oct. 1856) the English "opened their guns on the provincial city, "(Canton) bombarding and burning buildings "and dwellings, and attacked and stormed its "forts. The gentry and the people of both "the city and suburbs thronged the court "of Yeh, imploring him to make investigation "and take order accordingly. These are ~~the~~ "facts of which all foreigners are alike "aware. The seizure of a Minister, and

"occupation

"occupation[1] of a provincial city belonging
"to us, as on this occasion has been the case,
"are also [facts] without parallel in the
"history of the past. His Majesty the Emperor
"is magnanimous[2] and considerate; he has
"been pleased by a decree which we have
"had the honor to receive, to degrade Yeh
"from the Governor-generalship of the Two
"Kwang for his maladministration, and
"to dispatch His Excellency Kwáng to
"Kwangtung as Imperial Commissioner
"in his stead, to investigate and decide with
"impartiality; and it will of course behove
"the English Minister to wait in Kwang-
"tung, and there make his arrangements.
"No Imperial Commissioner ever con-
"ducts business at Shanghai

"There being a particular sphere of
"duty allotted to every official on the
"establishment

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[1] There is here an erasure. The character employed has probably been substituted for another nearly resembling it in form but implying unlawful violence in the act referred to

[2] Magnanimous, liberal or forgiving towards us: considerate towards the Chinese

"establishment of the Celestial Empire; and
"the principle that between them and the
"foreigner there is intercourse being [3] one
"ever religiously adhered to by the servants
"of our Government of China, it would not
"be proper for me to reply in person [to
"the letter of the English Minister]. Let
"Y. E. therefore transmit to him all that I
"have said above, and [his letter] will in
"no way be left unanswered."

In accordance with this, we have to observe that, when Y. E. wrote from Canton you were not aware that His Majesty the Emperor had dispatched another Imperial Commissioner to Kwangtung in the person of Hwang, the new Governor-general of the Two Kwang to investigate and decide [all matters]; and that you sent the letters under acknowledgment in consequence. It is now our duty to advise Y. E. that Hwang, Imperial Commissioner and Governor-general of the Two Kwang

is

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[3] Art. XIII of the Treaty of Nanking provides the form under which there shall be intercourse between the British Minister and High Officers of China, both at Peking and in the provinces

is already on his way to Kwangtung; that on the information you may take that course which will be certain to bring about an amicable solution [of existing differences]

We avail ourselves of the occasion to wish that your prosperity may daily increase.

The Governor-general has to add that he is at Changchau, a place too far [from the Governor] to admit of both their seals [appearing on this letter], which runs in the name of both.

A necessary communication is addressed to

The Earl of Elgin & Kincardine

Hienfung, 8e year 2e moon, 7e day (21st March 1858)

Translated by Thomas Wade
Chinese Secretary

Dispatch 11 - Exh 4a
4a 3 April 1858

To Ho Kwei-tsing Governor General of Kiangsu and Kiangsi and Nganhwui &c&c and Chán Teh Chéh Governor of Kiangsu, the Minister of the United States makes this communication.

He has received Your Excellency's letter of the 21st March. It is wholly unsatisfactory.

The Supreme Council of State of His Majesty the Emperor or His Excellency Chancellor Yu should have directly answered a communication respectfully addressed to them by the Representative of a friendly power such as the United States has been and desires to be. The Ministers of England and France are by solemn treaties authorised to correspond with Chinese high officers at the Imperial Capital at Peking, and the United States of America have the same rights and mean to insist upon them.

Nor is the answer of their Excellencies the Governor General and the Governor in itself satisfactory. It is true that America is in no way implicated in the military operations at Canton and for that among other reasons the Undersigned has come

away

away from the place where those operations occurred in order to meet an Imperial Commissioner for friendly conference at a place where there is no war. When he was in Kwangtung in November last the Imperial Commissioner Yeh would not receive him or listen to him, and there is not one word in the communication of Chancellor Yu to lead the Undersigned to belive that if he were now to go to Canton His Excellency Kwang would see him or listen to him. The same suggestion was made to the predecessors of the Undersigned and when they went to Canton out of a great desire to preserve friendly relations, they were refused an audience.

Besides, the Undersigned distinctly announces to their Excellencies the Governor General and the Governor and through them to the Imperial Council ——, that he shall proceed to the Gulf of Pechele and to the mouth of the Peiho there to demand a revision of the Treaty between the United States and China and a settlement of the claims of citizens of the United States aggrieved in various parts of the Empire, if he finds a Commissioner of equal rank with himself and clothed with full powers.

If he does not, it is the intention of the Undersigned to proceed nearer to the Imperial Capital

and "

and lay the claims of his Government and fellow-citizens before His Majesty the Emperor.

He further informs the Supreme Council that in this course, it is his intention to act in friendly and thorough concord with the Plenipotentiaries of England, France and Russia whose interests in China entirely harmonise and whose action, since the hostilities at Canton have been suspended, is strictly cooperative.

The Undersigned renews to Your Excellencies the assurance of his distinguished consideration.

William B. Reed

Shanghai, April 3. 1858

Dispatch No 11 - Ex. 4
4/3 April 1858

The Undersigned, Envoy Extraordinary and Minister Plenipotentiary of the United States, has received from Ho. Governor-General of the Two Kiang, and Chàu, Governor of Kiangsu, a letter containing what is described as a message from His Excellency Chancellor Yu, stating that it would not be proper for him to reply in person to the Undersigned, but directing the Governor-general and Governor to communicate his views

This cannot be recognized by the Undersigned as right and proper, or according to the Treatys which His Majesty the Emperor has ratified, and which the United States mean to insist on

The Undersigned therefore treats this message as no answer at all, and means to go at once to the Gulf of Pechele, and mouth of the Peiho, accompanied by the great ships of his nation, and there demand access to the Imperial Court, or the high officers who are bound to correspond with him.

William B. Reed

Legation of the United States,
Shanghai, April 3. 1858

Dispatch 11 - Enc 4c
to 23 April 1858

Confidential

Shanghai. April 2nd 1858.

Sir,

With reference to my letter of yesterday's date, I have the honor to enclose herewith, for your Excellency perusal, the Draft of letters which I propose to address to the Governor General of the Two Kiang and the Governor of Kiangsu and to the Prime Minister of the Emperor of China respectively.

I have the honour to be

Sir,

Your Excellency's

Most Obedient

humble Servant

Elgin & Kincardine

His Excellency

The Honble W. Reed

&c &c &c

Dispatch 11 Enc 4
3 April 1838

Draft of a note to their Excellencies the Governor General of the two Kiang and the Governor of Kiangsu.

The Undersigned cannot accept from their Excellencies Hoo, Governor General of the two Kiang and Chau Governor of Kiangsu a reply to the letter which he addressed directly to an Imperial High Officer at the Capital, because in doing so he would compromise the dignity of his Sovereign. He therefore returns herewith the letter which Their Excellencies did him the honour to address to him on the 26th ult., and encloses at the same time a further communication to the Prime Minister of the Emperor of China, which Their Excellencies will oblige him by forwarding to its destination.

Dispatch 11 - Enc. 4
3 April 1858

Draft.

The Undersigned has received from Hoo, Governor-General of the two Kiang, and Chau, Governor of Kiang Su, a communication which purports to convey the reply of His Excellency the Prime Minister of the Emperor of China, to the letter addressed to him by the Undersigned on the 10th February and which contains among other things the following statement.

"There being a particular sphere of duty
"allotted to every official of the Celestial
"Empire, and the principle that between
"them and the foreigner there is no intercourse
"being one ever religiously adhered to by servants
"of our Government of China, it would not be
"proper for me to reply in person [to the letter
"of the English Minister] Let Your Excellencies
"therefore transmit to him all that I have said
"above, and [his letter] will in no way be left
"unanswered."

But the Treaty between Great Britain and China states "That it is agreed that
"H. B. Majesty's Chief High Officer in China,
"shall correspond with the Chinese High Officers,
"both at the Capital and in the Provinces under
"the term communication"

By

By refusing to correspond directly with the Undersigned the Prime Minister has set this provision of the treaty at naught. The Undersigned has therefore returned to the Governor General of the Two Kiang and the Governor of Kiang Su their communication as he cannot receive it without compromising the dignity of his sovereign, and he will proceed at once to the North, in order that he may place himself in more immediate communication with the High Officers of the Imperial Government at the Capital.

Dispatch 11- Exh 5a
3 April 1858

Legation of the United States

Shanghai April 2nd 1858.

My Lord,

I thank you for the translation of the letter from the Governor and Governor General which you have been so good as to furnish me and which seems generally to correspond with that which I have received from the same Officials, a translated copy of which I had the honour of sending to your Excellency some days ago.

I am indebted also to your Lordship for the information contained in your note of the 1st inst. as to the course you intend to pursue in consequence of the refusal of the Imperial Court to accede to the reasonable and respectful demands of the Representatives of the Treaty Powers, and in acknowledging it, I beg to say in addition, that on reference to the instructions which I received at Washington and under which I yet act, I am satisfied that my Government will expect me to adopt the same course and repair as soon as possible to

the

To His Excellency

The Earl of Elgin & Kincardine

H. B. M. High Commissioner

&c &c &c

the Gulf of Pecheli and the waters of the Peiho there still more impressively to demand access to the Imperial Court or an interview with a duly accredited Representative in order to a satisfactory negociation. I shall do so as soon as the Naval Commander in chief informs me that the Squadron is ready to accompany me. What limitations are imposed on my action in the North or elsewhere your Excellency is well aware of. What further instructions I may receive in answer to despatches already sent to my Government, I do not venture to conjecture. But I am aware of nothing to prevent a cordial and unreserved interchange of opinions and concert of action in the existing state of things, if such a course be thought conducive to the ends we have in view. I certainly regard it as most important and beg your Excellency to believe that the same feeling animates me as did when I united with your Excellency in the representation made to the Imperial Court.

I certainly concur in the view your Excellency takes of the Treaty obligation securing to the Representative of Her Brittanick Majesty, the right to correspond with the authorities at the Capital. The Treaty of Wanghia between the United States and China, while it contains no such express stipulation, does contain a clause giving to the United States, as well as their citizens, a complete, equal and impartial participation in all privileges which might be conceded to any other nation, and as the privilege of — correspondence with the high officers at the Capital as well as in the Provinces, was conceded to the Government of France in a

Treaty

treaty later in date than that with the United States, there can be no question of the literal obligation of the Officers at the capital to receive any proper communication addressed to them by the Representative of the United States. I certainly regard a refusal to correspond with me as a just cause of offence to the Government of the United States, more serious as every attempt to correspond on terms of equality elsewhere has for more than ten years failed.

I have never for a moment thought of returning to Canton, for not only is there no assurance of a more favourable reception there than my predecessors formerly met with - but I have every reason to infer from the combination of the functions of Imperial Commissioner and Governor General that the new officer has no authority beyond that which may enable him to settle a pending provincial difficulty.

I desire also to communicate to your Excellency the rough draught of a reply which I propose to send as soon as possible to their Excellencies the Governor General and Governor of the Province.

I have the honour to be

My Lord,

Your Excellency's

most obedient Servant

William B. Reed.

Despatch 11- Exhibit
3 April 1858

Shanghai, April 1st 1858

Sir,

I have the honor to inclose herewith a translation of a communication which I have received from the Governor-general of the Two Kiang, and the Governor of Kiangsie, purporting to convey the reply of the Prime Minister of the Emperor of China, to my letter to him, of which the copy was inclosed in my dispatch to Your Excellency of the February last.

I avail myself of the opportunity to submit a few remarks with reference to the course which I deem it proper to follow at this conjuncture in pursuance of the policy which I am directed by my Government to carry out in China.

As the month of March has now expired, and the Government of China has omitted to send a properly accredited Plenipotentiary to treat with me at this place, I conceive that I have recovered the liberty of action of which I voluntarily deprived

His Excellency
The Honorable W B Reed

&c &c &c

deprived myself for a specified period by the terms of my letter to the Prime Minister of the Emperor above referred to.

The Prime Minister has further given just cause of offence to the Government of Her Britannic Majesty by declining to correspond directly with me, although the Treaty between Great Britain and China states that "It is "agreed that Her Britannic Majesty's chief "high Officer shall correspond with the "Chinese high Officers both at the Capital "and in the provinces, under the term "communication."

As the communication which I have received from the Governor-general of the Two Kiang, and the Governor of Kiangsu, makes no reference to the specific points on which in my letter to the Prime Minister, I intimated my desire to treat, I have no assurance that the Imperial Commissioner sent to Canton possesses the requisite full powers.

Under these circumstances I am of opinion that the objects of my mission would be seriously compromised by my return to Canton, and I have accordingly

resolved

resolved to proceed to the North without delay in order that I may place myself in more direct communication with the Imperial Government at the Capital.

I have the honor to be

Sir.

Your Excellency's

Most Obedient humble Servant

(Signed) Elgin & Kincardine

Dispatch 11. Eg. 6a
3 April 1858

Shanghae, 29th March 1858

Sir,

Your Excellency has been aware that I was expecting additional instructions from St Petersburgh. They were brought to me by the last mail and I am able now to inform You of their contents.

The Imperial Cabinet is animated with the greatest desire to see the complications, which have arisen in Chinese affairs settled in a satisfactory way and I am empowered to apply all moral means in furthering the demands of general interest that would be made at the Court of Pekin by the Plenipotentiaries of other Powers and especially by the Representative of the United-States. At the same time the Imperial Cabinet, faithful to its former pacific intentions, desires not to employ any coercion against the Chinese Government and bids me not to have recourse to arms except in cases of extremity.

I have also to communicate to Your Excellency that the Emperor, my August Sovereign, has been pleased to confer on me the Title of

His Excy the Hble W. B. Reed
Envoy Extraordinary &c &c &c

of Imperial Commissioner and Commander-in-Chief of the squadron destined for the China and Japan seas.

With assurances of high consideration, I have the honour to be

Your Excellency's
most humble Servant
C. Poutiatine.

Dispatch N.- Ep. 6th
3 April 1858

Legation of the United States
Shanghae. March 29th 1858.

Sir,

I have the honour to acknowledge the receipt of Your Excellency's letter dated to day and thank you for the information it contains as to the views of the Imperial Cabinet with reference to the complications which have arisen in Chinese affairs and to the course of conduct you are directed to pursue. I beg you to believe that I most highly estimate, as I am sure the Government of the United States will, this new proof of friendly confidence and unreserve. And I am glad to find that in the revelation which you have made, of the policy of the Imperial Cabinet, there is nothing to weaken the strong sympathy which has influenced our respective Nations in their treatment of this peculiar people.

Permit me to offer you my sincere congratulations on the new and deserved honours conferred on your Excellency by His Majesty the Emperor and

with

His Excellency
The Count Poutiatine
Imperial Commissioner & Commander in Chief
&c &c &c

with renewed assurances of my most distinguished consideration, to remain

Your Excellency's

Most humble Servant

William B. Reed

Dispatch 11 - Enc. 7a
73 April 1858

Flag-Ship San Jacinto
Shanghai. March 26th. 1858

My Dear Sir,

I find that, by authority of the French Government, their Minister has followed the example of Lord Elgin and hoisted the French Ensign at the Main of the Ship in which he resides.

I send you the copy of an order, I have addressed to Captain DuPont on this subject which, I hope, may comport with your views.

Yours Very Truly
Josiah Tattnall

His Excellency
William B. Reed

Dispatch 11 - Encl. 7
3 April 1858

(Copy)

Flag-Ship "San Jacinto"
Yan-Tse-Keang River
26th March. 1858

Sir,

You are authorized, should our Minister Mr Reed desire it, to wear (within the waters of his Mission) an American Ensign at the main of the "Minnesota".

The object being, to designate the ship, on board of which the Legation is established, this flag is only to be worn when Mr Reed is actually a resident on board, and is to be struck, whenever he shall have been absent over twenty four hours.

Hitherto, the Ensign at the main has never been worn in our Service but in honor of the President of the United-States and Commander in Chief of the Navy, and the privelege is tendered to Mr Reed, without waiting for instructions from the Government, in view of his high and peculiar mission, and from a desire to place him so far as depends on myself, on an equal footing of honor and dignity with the foreign Representatives with whom he is at present associated

I am thus particular in stating the object of this deviation from the usage of our service,

that

Captain Samuel F. Du Pont
U. S. S. Minnesota.

that, it may not hereafter be drawn into a precedent—

Very Respectfully
Your obedient Servant
Josiah Tattnall
Flag-Officer East India Station

Dispatch 11 - Eqh. ye
3 April 1858

Legation of the United States.
Shanghae. March 29. 1858.

My Dear Sir,

I have the honour to acknowledge the receipt of your note of the 26th inst enclosing the copy of an order given to Captain Du Pont directing him to wear an American ensign at the main of the Minnesota in order to designate the ship in which this Legation is established. For this new mark of friendly and most considerate attention I sincerely thank you, and I beg you to believe that I appreciate the reasons not only of this deviation from the usage of the Naval service but for your wish that it may not hereafter be drawn into a precedent. I make this formal acknowledgment, placing a copy of it in the archives of the Legation in order to prevent any misunderstanding, hereafter, of the precise import of this most agreeable distinction, of the high and peculiar mission with which the President has entrusted me.

I avail myself of the opportunity to add that in consequence of the very unsatisfactory replies received

Captain Josiah Tattnall
Flag-Officer & Commander in Chief
&c &c &c

received by the diplomatic Representatives of the Treaty Powers to their respectful and friendly solicitation for the appointment of an Imperial Commissioner to conduct peaceful negociations at or near this place, it will probably be necessary at an early date for me as the Representative of the United-States to repair to an anchorage near the mouth of the Peiho. In order to give due effect to the peaceful urgency I may feel it my duty to apply to the Imperial Government, it will be necessary that as large a portion of the naval force of the United-States as can be spared from other duties, should accompany me to the North. I shall be glad if you will give the necessary orders to this end. It will be a matter of great moment that the "Minnesota" and the other ships should be ready to go to sea at the same time as the forces of the other powers and though I am unable until the arrival of Baron Gros to speak with precision as to the exact intentions, my impression is that in a fortnight their arrangements will be completed.

Should the urgency to be resorted to continue to be peaceful I am authorised to take part in it even to the extent of landing at the mouth of the Peiho and proceeding with the other Plenipotentiaries to Tientsin, or should it be necessary, even to the Capital itself. In such case I shall need the assistance of the Naval Commander in providing facilities

facilities for a landing and protection by an adequate escort. During such operations I hope it will be consistent with your views of duty to give me the benefit of your presence and of your intelligent counsel.

If the measures resorted to by the Plenipotentiaries of Great Britain and France be of a hostile nature and there be such active or passive resistance on the part of the Chinese as to renew the scenes which have occurred near Canton, it will, under the instructions which I have received, be my duty to withdraw from the neighbourhood of such a conflict; – and it has occurred to me that the Treaty Port of Nagasaki in Japan would be the most convenient place in the event to which I have referred for the Legation to retire to. This, however, I submit to your better judgment, merely adding that I wish to be in a position to enable me to return to the mouth of the Peiho after such hostilities shall be determined, or in the event of my receiving further instructions to be where I can threaten such coercion as the Government may think themselves authorised to adopt to enforce our rights against the Chinese.

In this connexion I enclose you a letter received by me a few weeks ago from His Excellency Admiral Count Poutiatine from which you will observe, in his opinion the only months for efficient

action

action in the Northern Waters of China are the months of April and May - September and October.

I also send you the copy of a despatch received by me yesterday from Count Poutiatine containing some new revelations of the policy of his Government. I do not know that any such communication has been made to Lord Elgin. In sending you this paper which I do confidentially you will understand that I seek your friendly counsel in the strange complication which this most peculiar people force upon us and that I mean to have no secrets from you.

I have the honor to be

Your most obedient servant

William B. Reed

Rec 16 June. Mr Dorrick.

Official No 12

Shanghai. April 3rd 1858.

Sir,

I have an opportunity of sending by this mail the accompanying correspondence of Mr Consul Perry descriptive of the state of things at and near Canton. I am happy to observe the improved appearance of commercial affairs.

Since my despatch of this morning (No 11) was sealed, we have intelligence of the arrival at Woosung of the United-States Ship "Mississippi". This enables me to be ready at once to set out for the North.

I have the honour to be

Sir

Your most obedient Servant

William B. Reed.

Hon Lewis Cass

Secretary of State

Washington

U. S. Consulate of Canton,
Whampoa, Feby 24th 1858.

Sir,

I have the honor to inform Your Excellency, that in obedience to your instructions I have hoisted my flag and established the Consulate at Whampoa, on board of a small vessel chartered by myself.

The French Consul Mr. Le Baron de Trauquelle, has hoisted his flag in New-town on the Island of Whampoa - he has a guard of French Sailors Station=ed at his Consulate for his protection.

The British Vice Consul Mr. Winchester has hoisted his flag on Danes Island, on a tract of land leased by the English Government

His Excellency,
William B. Reed -
U. S. Minister Plenipotentiary
&c &c &c

government upon which I am informed he intends building a British Vice Consulate and jail. Mr Winchester at present lives afloat.

The general impression amongst the foreign Merchants is, that trade will very soon be re-opened, it will however, be necessarily limited at first.

Every thing here is apparently very quiet. I have been on shore several times, and have walked about a good deal, and have thus far found the Chinese civil and anxious to go to work and do business - no doubt there are some discontented ones ready to create disturbance and trouble, but I think that such a feeling, if it really exists, will gradually wear off when trade is fairly in its old channel

I have the honor to be,
Sir,
Your Most Obdt Servant

Thos R Tenny

United States Consulate of Canton,
Whampoa, March 9th 1858.

Sir,

I have the honor to inform Your Excellency, that Mr. Le Baron de Trangualye the French Consul and Mr. Charles Winchester the British Vice Consul, called upon me on the afternoon of the 2nd instant, and stated that since their arrival at Whampoa, the conviction had been forced upon them, that the Consular functions with which they were invested could be exercised at Whampoa to much less advantage that at Hongkong in the vicinity of Canton, that they had observed facts which left no doubt in their minds that a considerable settlement of the

foreign

His Excellency
William B. Reed
U. S. Minister Plenipotentiary,
&c &c &c

foreign community would speedily spring up in that locality, that at Whampoa it would be difficult for the Consular officer either to protect the interests or control the conduct of the parties under his jurisdiction, that at Whampoa it was next to impossible to obtain the commercial and general infor= =mation it falls within the province of a Consular officer to furnish, that they expected to see in no long time, the attempt made by the Mercantile Consuls of non-treaty Powers to hoist their flags and ex= =ercise Consular functions at Honam, that they intended to ad= =dress their respective Chiefs, Lord Elgin and Baron Gros upon the subject and ask permission to remove their Consulates to Honam, and they hoped that I would join them and remove my Consulate also to that locality, so that the three Treaty Consular flags might be displayed in one place.

I agreed entirely in the opinions expressed by these gentlemen, but told them I could not give them a positive answer at that time, that although my instructions from you directed me to locate the Consulate at Whampoa, still they were not of such a positive nature as to preclude my removing to Honam should such a course become advisable or necessary, yet, in your absence, I should prefer consulting with Mr. Williams the Secretary of Legation, before binding myself to any particular course in the matter.

I have consulted with Mr. Williams, and he agrees with me, that it would be better to remove to Honam should the English and French Consuls remove, and has authorized me in case they do, to locate my Consulate there also, should I still deem it advisable.

Lord Elgin unfortunately

left Hong Kong for the North on the very morning Mr Vice Consul Winchesters despatch reached Canton and consequently it has not yet reached His Excellency — Baron Gros reply to Mr Consul Tranqualhe, is to the effect that the French having little trade at Canton, he does not care, in the absence of Lord Elgin, about taking the initiative step in the matter, although he has no personal objection to the French Consulate being removed to Amoy. I have reason to believe however, that Sir John Bowring will authorize Mr Consul Winchester to locate his Consulate at Amoy, in that case the French Consul will remove also.

I have informed Mr Consul Tranqualhe and Mr Vice Consul Winchester, that I had authority from Mr Secretary Williams to remove to Amoy, should it become advisable so to do, but that I should not do so until they also had received authority

authority to the same effect.

In connection with this subject I would remark, that the merchants complain of the hardship of being obliged to travel a distance of twelve miles and back, to obtain certificates required by law, such as certificates to invoices. certificates to enter and clear vessels &c &c

I have the honor to be,

Sir,

Your Most Obdt Servant

Oliver H Perry

U. S. Consulate of Canton
Whampoa, March 12th 1858.

Sir,

I have the honor to inform Your Excellency, that it is reported and generally believed here, that an Imperial despatch from Pekin has been received at Canton, and that Yeh has been degraded, and that Pekwei although reprimanded, has been promoted to the Governor Generalship of the Province of Kwang-Tung - It is also rumored that a new Imperial Commissioner, named Hwang-Tsungshan has been appointed.

I have not the least doubt that these rumors and reports are true; as the guard that was stationed at Pek-wei's Gamun, has been with-drawn.

Foreigners are fast re-turning

His Excellency
William B. Reed
U. S. Minister Plenipotentiary
&c &c &c.

returning to Canton, and are locating themselves at Honan on the side of the river opposite to Canton, and immediately opposite the site of the old foreign settlement. There they are free from the annoyances and restraints naturally resulting from Martial Law. All the habitable houses fronting on the river and many in the rear, have been rented at exorbitant rates.

There is little trade as yet at Canton, but large shipments of Tea and Cassia, heretofore locked up in pack-houses in the vicinity of Canton, are being shipped by Chinamen to Hong Kong and Macao. In fact all the steamers for those places leave full. the principal portion of the cargo being Tea.

The Chinamen continue to remain quiet at Canton as well as at this place.

I have the honor to be

Sir.

Your Most Obt Servant

Wm. H. Seward

Legation of the United States
Shanghai. March 29th 1858

Sir,

I am in receipt of your several letters directed to me at this place where I arrived on the 24th inst. I entirely approve of the removal of the Consulate further up the river than Whampoa. Lord Elgin informs me that he has written to Sir John Bowring to the same effect with the concurrence of Baron Gros who arrived here to day.

Be so good as to continue the transmission of intelligence from Canton and its neighborhood. I am especially anxious to know where the new Governor General is, and what has been his reception. I hope to set out for the North before long but all letters may be addressed to me here.

I am Very Respectfully Yrs
William B. Reed

Oliver H. Perry Esq
Vice Consul of the United States
Canton.

Rec'd July. Mr Derrick

Legation of the United States

Shanghai. April 8. 1858

Copy sent to Congress under date 27th Decr. 1858.

Sir,

Conformably to the sixth section of the Act of Congress approved August 11th 1848, I have the honor to transmit to the President the accompanying decree and regulation of the 27th February. 1858, issued and published by me under the provisions of the said act of Congress, with the opinions of the American consuls at the Treaty ports, "to be laid before Congress for revision".

With sentiments of the highest respect,

I have the honor to be,

Sir,

Your most obedient Servant

William B. Reed.

Envoy Extraordinary & Minister

Plenipotentiary U. S. A. to China

To James Buchanan.

President of the United States.

with Mr. Reed's note of April 8. 1858

REGULATIONS FOR THE CONSULAR COURTS OF THE UNITED STATES OF AMERICA IN CHINA.

In pursuance of the 4th and 5th Sections of the Act of Congress, approved 11th August, 1848, entitled, "An Act to carry into effect certain provisions in the Treaties between the United States and China and the Ottoman Porte, giving certain legislative and judicial powers to Ministers and Consuls of the United States in those countries," I, William B. Reed, Minister Plenipotentiary of the United States of America to the Empire of China, do hereby decree the following Rules and Regulations, which shall have the force of law in the Consular Courts in China.

1st. That in all cases of assignments for the benefit of the creditors within the jurisdiction of the Consuls of the United States in China, distribution or dividends shall be made in the following manner:—

On the expiration of one year from the date of such assignment, the assignees may apply by petition to the appropriate Consul, stating the amount of assets in hand and of the claims proved against the estate, and praying for an order of distribution.

The Consul shall thereupon direct notice of such intended distribution to be given either by direct personal communication, or publication for a period of not less than two months in newspapers published at Victoria and Shanghai, if a majority of creditors in amount shall be residents of China, or have agents or attorneys there resident; and when creditors reside out of China, by publication in such places as the Consul may direct; and if at the expiration of the time specified in such notices, no sufficient cause be shown why such distribution should not be made, the Consul shall make an absolute order in nature of a final decree, directing such distribution to be made and the form of acquittances therefor.

2d. That in no case of trusts or assignments for the benefit of creditors, shall a Consul or Vice-Consul of the United States act as such Trustee or Assignee.

L. S. WILLIAM B. REED,
Envoy Extraordinary & Minister Plenipotentiary of the U. S. A. in China.

Legation of the United States of America,
U. S. St.-Fr. *Minnesota*, Hongkong Harbour, February 27th, 1858.

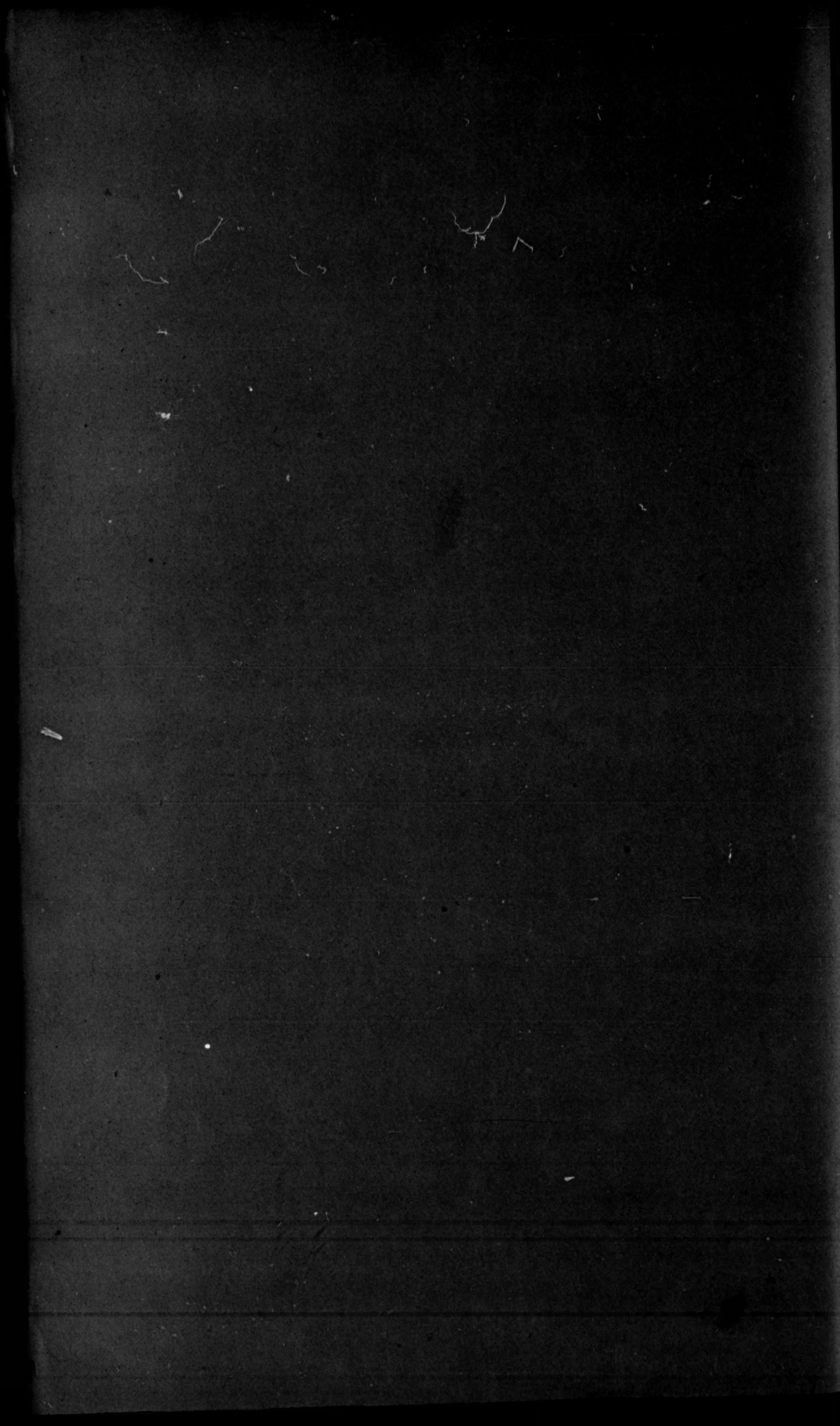
Assented to, March 5th, 1858, Oliver H. Perry,
U. S. Consul, Canton.

Approved, March 15th, 1858, E. Doty,
U. S. Vice-Consul, Amoy.

Approved, March 16th, 1858, Thos. Dunn,
U. S. Vice-Consul, Fuhchau.

Assented to, March 12th, 1858, Charles William Bradley,
U. S. Consul, Ningpo.

Approved, April 9th, 1858, Geo. B. Glover,
U. S. Vice-Consul, Shanghai.



Rec'd July

Official
No. 13.

Legation of the United States
Shanghae April 10th 1858

Sir

I am obliged by my approaching departure for the north, to anticipate the next mail, and to send this letter in continuation of my despatches Nos. 11. 12. The Mississippi is ready for sea, and I hope to sail in her day after to morrow, for the mouth of the Peiho. The frigate will be accompanied by the chartered steamer Antelope, and be followed, as soon as some necessary repairs are completed, by the Minnesota. The Flag officer sailed a few days ago in the San Jacinto for HongKong where he hopes to meet the Powhatan and Germantown, and intends with them to join me in the North. Count Poutiatine sailed hence on the 7th. Lord Elgin goes to day and the French Plenipotentiary follows as soon as the coaling of his ship is completed.

Mature consideration, since the last mail

Hon: Lewis Cass
Secretary of State
Washington.

mail went, induced me to change the style of my replies to the provincial Governors and the Council of State at Peking, and I now send copies of the papers actually transmitted, which I desire to be substituted for those accompanying my despatch No. 11. (Enclosures 1a, 1b, 1c.) With this, you will receive also translations of the Chinese letters to Baron Gros and of his reply, and that of Count Poutiatine, which they have communicated to me. In order to save time, trouble and expense they have all been forwarded through the Taoutai or Intendant of this City. (Enclosures 2a, 2b, 2c, 2d, 2e 2f, 2g 3a, 3b 3c 4.) — That functionary a few days ago, sent me word, through the Consul, that, if it was agreeable to me, he would pay me an official visit. On full consideration, under existing circumstances, I thought it best to decline to receive him for I can see no advantage, (certainly none ever accrued to my predecessors,) from any facility of intercourse with these subordinate officials while those of higher rank so persistently refuse to receive me. This decision was communicated by the Consul in courteous though explicit terms and I have heard nothing on the subject since. (Enclosures 1d)

The incidents of the next few weeks, will be of great interest and I shall endeavour to keep you as well informed as to the course they take as I can from a remote region. I hope the President will have time to examine the whole correspondence, I mean not only

mine

mine but those of the other Plenipotentiaries which immediately precedes the movement we are now about to make.

He cannot fail to be struck with the moderation which characterises all, and especially the letters of those, who may be described as quasi- or actual belligerents. I am not aware of any difference of opinion between them, but my intercourse having been accidentally more constant and informal with Lord Elgin, I refer with more precision to his views.

He came to China as the representative of those who preferred measures of conciliation to aggression or even coercion. In fact his selection was, if I mistake not, a concession to the public sentiment of a formidable popular minority. He found a war begun, of which in its origin he could not approve, and it is quite remarkable that in all the Public papers to which we have access, the affair of the Lorcha Arrow, is never now alluded to. His first impulse was to suspend hostilities and try pacification in the North. The outcry raised in the neighbourhood of Canton, the mutiny of India which paralysed every thing, the expectation of new Ministers from Europe and America and perhaps a slow conviction, entirely justified by the contemporaneous failure of the Russian experiment at negociation, that going alone to the North, would be ineffectual, operated to make him

Pause,

pause, and compelled him to acquiesce in coercive measures against Canton. A residence at HongKong and personal observation of the relations of foreigners and Chinese in that spurious region did not, I imagine, stimulate any desire to push measures of severity. The manner in which Canton was taken and has since been held and administered, certainly shows no great asperity or resentfulness on the part of its assailants. That being over, Lord Elgin made a visit to the treaty ports and to other points on the coast and he has come here, if I may judge from the general tone of his conversation, with a sympathy for the Chinese, a sense of the deep wrongs they receive at the hands of reckless foreigners, which he does not strive to conceal and which will be largely operative on the demands he may make hereafter, if we ever have a chance of finding any one of whom we can make demands at all. In the expression of this sympathy Lord Elgin is, I have no doubt perfectly sincere, tho', with the inconsistency which affects the clearest minds, on the subject of the one great wrong which foreigners do to China, , opium, he is reserved, if not perplexed. The effect of all this is to raise the estimate he puts on political intercourse between the Nations of the West and East, and relatively to depreciate increased commercial facilities. He has persuaded himself, acknowledging in this a change of opinion within the last few weeks or months - that the Sovereign cure for existing evil is the establishment of permanent diplomatic relations at

Peking

Peking whence good and for the Chinese, protecting influences can be extended, whenever commerce comes or ought to come. I am confident that if the choice were presented between a resident diplomatic corps at Peking, and the opening to foreign commerce, through all their branches, of the great rivers in the centre and in the South of China, Lord Elgin's decision would be for the former. This is the result of his year in China – I dwell thus particularly on the opinions and supposed intentions of the English Penipotentiary, for the obvious reason that his views backed as they are by a powerful military force and thus far implicitly concurred in by his French colleague will naturally have great and controlling influence. I must not be understood as intimating that there will be any retrocession on the part of Great Britain as to commercial privileges but I seek to describe the sentiment, highly creditable to those who are subject to its influence under which what may be described as new material demands will be urged.

I venture, on the edge of the unknown diplomacy on which we are entering, to describe the predominant feeling of those about me, so that the President may know in advance under what influences and impulses I approach the discharge of this portion of my duties. To the importance of resident diplomacy at the capital – if where there it can be felt – I yield my full consent. There is a mysterious connection between the political centre and the extremities of this Empire which may be —— controllable for good by such an agency. It is the confident

belief

belief of some that this connection can, by means of resident diplomacy, be invigorated and ensured. There are others (and it is due to candour to say that I am one) who are less sanguine.

No one can tell what sort of permanent seclusion of the capital it may suit the perverse officials to condemn the diplomatic representation to, or predict the extent of communication with the coast that is to be permitted. It is an experiment after all; one that is to be made but the issue of which is very uncertain, but I especially desire the President to understand that — whatever speculative doubts I may have as to results, he will find in me a most earnest advocate of the views on this point which are contained in my instructions.

If the residence of a Minister at Peking be denied, the effort will be to secure a right of visit and sojourn. That failing it will still be a great result (and one to which I look much more hopefully) to break up the system of driving the foreign ministers to remote regions such as Canton, to establish the Legation or a responsible Consulate General at Shanghae and to allow the Yangtse Kiang to be freely — navigated and the great cities and markets on its banks to be open.

I go North with these hopes and these doubts and with the conviction, that if the demands now urged, as I think they will be, in a spirit of compromise and moderation becoming the representatives of Christian powers - if they now fail, I shall despair for a long future and my belief further is

that

that the next phase of Chinese affairs will be a total —— disorganisation of the empire, an abrogation of treaties and an aggravation of our existing state of evil, in the form of a conflict of rapacity without and corruption and imbecility within, such as never has yet occurred.

The truth is, so palpably inadequate are the present treaty arrangements for the increasing political and commercial complications, so clumsy and imperfect the —— machinery, that the conviction is a growing one that we had better have no treaties than those we have. A very intelligent and entirely disinterested observer, one who has tried conscientiously to gain accurate information and to arrive at safe results, remarked to me a few days ago that in his opinion, matters of trade and relations with the Chinese (with the single exception of the coolie traffic,) were on a better footing at Swatow, an unauthorised port where there is no treaty obligation and no official machinery than at any one of the lawful ports, and I have now before me a memorandum of Mr Bradley, the very intelligent and upright Consul at Ningpo, in which he —— recommends the abrogation of many of the most stringent and at first sight most plausible clauses of our treaty of 1844 for the simple reason that no human being ever thinks of observing or enforcing them. It is in this connection especially that I call your attention to Mr. Bradley's letter to me of the 15th of March— (Enclosure 6.) where he shows what a mockery a partial treaty obligation, affecting some and defied by others,

has

has become. It may be a delicate question for determination but it seems to me that unless Chinese officials can be persuaded to inaugurate a new state of things and create a new set of treaty obligations on an entirely different basis, and foreign nations furnish a more complete system of official restraint and foreign traders be made to think that obedience is due to the treaties their countries make a part of the law of the land, it would be better to renounce all existing compacts, and relieve the Governments of the West from the fearful responsibility that now rests on them of having treaties which cannot be enforced. Extra territriality is itself I fear now little more than a discredit to the powers that enjoy it. It would be much better to have wandering adventurers boldly protected by the strong hand of adventure itself.

In thus expressing myself I am conscious of no other despondency (or rather diffidence) than such as, I believe, is shared by my colleagues here, and of which the first effect will be an earnest effort in what is going to be attempted shortly, to try some radical reorganisation. Failing in this, it will be our duty to seek freer access to the interior under such improvement of detail as may modify existing evils but if that too fails, with the appliances which now can be brought to bear, I have no hesitation in saying that in my opinion, the function not only of diplomacy but of consular agency is exhausted. I shall not hesitate to say to any Chinese negociator who may meet me, that my counsel

to

to the Government I represent will be, unless things can be thoroughly and completely organised, to abrogate at once the existing treaties and release our citizens from any other than a voluntary obligation to pay duties, amounting at this port alone in one form or other to more than three millions in the last four years.

I write very freely and beg to be understood as seeking only to impress upon you, what is painfully clear to my mind here, on the spot, the importance and uncertainty of the crisis at which we have arrived.

I forwarded, some time ago, the copy of an Imperial decree found in Yeh's Yamun prescribing the — treatment of foreigners. I now send to you (and I am indebted for it to the courtesy of Baron Gros) the copy of an equally curious document, a letter from Keying to the Emperor on the conclusion of his negociations with Mr. Cushing and M. de Lagrené in 1845. It will be found to be grotesquely illustrative of the views of these Chinese officials, who are reported to be most enlightened and most friendly to foreigners. (Enclosures 5a 5b) — I avail myself of this opportunity to refer to one or two matters of interesting details.

1. I have felt myself authorised in view of the importance of the present movement to use a portion of the special credit which by your despatch of 22d June 1857, No. 3. you furnished me with and shall, so soon as I draw my bills for any amount, forward to the President my vouchers

or

or retain them till my return according to whatever has been the usage of the Department.

2. I trust that long before this the condition of the Consulates on this Coast has attracted your attention. With the exception of Ningpo and Canton where Mr. Bradley and Mr. Perry are, discharging their responsible duties with great credit, there is no Port at which a full Consul is in — commission. At this Port on the departure of Mr. Knapp, as you are aware, I appointed Mr. A. L. Freeman, on whose resignation, after a brief but most satisfactory administration of his trust I appointed Mr. George B. Glover, who now holds the place, till the decision of the President is known. The want of a Prison for the safe keeping of criminals is much felt— I refer you to a letter from Mr. Consul Bradley for further information on this point. It is dated 15th February, a copy of which he informs me has been sent with his Consular Despatches.

Coolie

3. I have reason to hope that the course which I have adopted with regard to the Coolie trade has been attended with at least the result of increasing the odium of it and separating from the lawless and defiant men who are yet engaged in it those shippers and merchants who are sensible to public opinion and can be deterred from iniquity by such sensibility alone. On them the public notification I gave, produced some effect. I reiterate all the views I have heretofore earnestly expressed and hope

that

that Congress will make such provision as to give the Representative of the United States here some surer weapons of prevention than notifications and protests. A large ship of two thousand tons called The Norway fitted out expressly for this trade at New York, arrived in HongKong soon after my circular of the 18th of February appeared. I have some reason to believe that the fear of threatened penalties and the bankruptcy of the mercantile house in New York which owned her prevented this experiment of commercial iniquity. I append to this Despatch the report of the result of a prosecution at HongKong for a violation of the Passenger Act of the British Parliament, which is painfully illustrative of the miseries of the coolie traffic even when limited and guarded. I am sorry to observe the hesitating manner in which the case seems to have been treated by the crown officers and the apologetic device by which a colonial jury sought to transfer the bloody responsibility of this adventure from the merchants who devised and executed it, by referring it to the act of God. Appended also is a narrative of a most trustworthy witness - the Reverend Mr Burns, of what is now doing at Swatow. The port of Shanghae has been apparently relieved from this disgrace by the action of the Consul and the Taoutai. (Enclosures 7a, 7b).

4. I also forward a brief correspondence between the American House of Russell & Co. and this

Legation

Legation on the subject of their claim on the Chinese Government from which you will see that the greater part of it is withdrawn. I am rather surprised that the intelligent gentlemen who wrote the letter should have been guilty of the bad taste which a portion of it exhibits. They had no reason to imagine that I ever dreamed of presenting unjust claims. ~~which however if there were any~~ ~~Chinese of character there were who should~~ ~~be engaging~~

W. B. R.

It is but right, in justice to others, to guard against an inference that may be drawn from the withdrawal of this claim by referring to a well known fact that there are reputed to be large Chinese interests in the house which makes them less urgent than others who have not the advantage of such a connexion. (Enclosures 8a, 8b)

I have the honour to be

Sir,

Your obedient Servant.

William. B. Reed.

Index to Despatch No. 13.

Shanghai, April 10. 1858

From	To	Subject Matter	Dates
W B Reed	Ho & Chau	(Amended) Letter, inclosing a despatch for	1 April 1858
Do	Yuching	(Amended) Letter informing him of departure	1 " "
Do	Tautai See	With latter's reply, about forwarding preceding	
Tautai See	Gen B Glover	With latter's reply about interview with W Reed	5 " "
Baron Gros	W B Reed	Inclosing translation of reply received from	3 " "
Ho & Chau	Baron Gros	Conveying the refusal of Yuching to write	21 March "
W B Reed	Do	Acknowledging the above & views thereon	5 April
Baron Gros	W B Reed	Inclosing drafts of reply sent to	6 " "
Do	Ho & Chau	Inclosing for them to forward his notice to	6 " "
Do	Yuching	Announcing his near departure for Peiho	6 " "
W B Reed	Baron Gros	Acknowledging the preceding, & states day of leaving	7 " "
Ctc Pontiatine	W B Reed	Inclosing draft of his note to	5 " "
Do	Yuching	Announcing his visit to the north	April "
W B Reed	Ctc Pontiatine	Acknowledges above & states day for leaving	7 " "
Do	Lord Elgin	Sends 1st & 4th in draft in place of first	7 " "
Baron Gros	W B Reed	Sends him copy of memorial from	9 " "
Keying		To the emperor about dealing with foreigners	1845
C W Bradley	W B Reed	Suggests modifications in treaty, tonnage dues &c	15 March "
		Report of trial at Honkong about coolies	25 "
W C Burns	& others	Detailing cruelties to coolies at Swatow	3 "
Russell & Co	W B Reed	Withdraw claims on Chinese for losses	30 "
W. B. Reed	Russell & Co	Assures them that no imaginary claims for losses will be presented for payment	5 April "

Dispatch 13. Encl 1a
10 April 1858

To their Excellencies the Governor General of Kiangsu and Kiangsi and the Governor of Kiangsu, the Minister of the United States makes this communication.

He has received Your Excellencies' letter of the 21st March. It is wholly unsatisfactory and he now encloses a reply which he desires Your Excellencies at once to forward to the Supreme Council of State of His Majesty the Emperor or His Excellency Chancellor Yu

William B. Reed.

Legation of the United States

April 1. 1858

Dispatch N°: 13. Enl 1
10th April 1858

The Undersigned, Envoy Extraordinary and Minister Plenipotentiary of the United States of America, has received from His Excellency Governor General of the Two Kiang and Khan Governor of Kiangsu a letter containing what is described as a message from His Excellency Chancellor Yu stating that it would not be proper for him to reply in person to the Undersigned, but directing the Governor General and the Governor to communicate his views.

This cannot be recognised by the Undersigned as right and proper or according to the Treaties which His Majesty the Emperor has ratified and which the United States mean to insist on.

The Undersigned therefore treats this message as no answer at all and means to go at once to the Gulf of Pechele and mouth of the Peiho accompanied by the great ships of his

his Nation and there demand access to the Imperial Court or the High Officers who are bound to correspond with him.

The Undersigned further says that an indignity was done to a great and friendly power in not sending to the Representative of His Majesty the Emperor of Russia a direct and written answer to a respectful communication and begs to add that hereafter he must not be asked to make a verbal communication to the Minister of Russia or any one else who has claims to more respectful consideration.

He further informs the Supreme Council that in the course her has prescribed for himself it is his intention to act in friendly and thorough concord with the Plenipotentiaries of England, France and Russia whose interests in China entirely harmonise and whose action, since the hostilities at Canton have been suspended, is strictly cooperative.

William B. Reed.

Legation of the United States. April 1. 1858

Note to the Taoutae

Desiring to deliver you an official letter addressed to the Governor General of two Kiang's, I request you to receive to morrow at 12 oclock one of our officers who will attend on you with the aforesaid letter.

I avail myself of this opportunity to express to you the wishes of continual happiness.

William B. Reed
Envoy Extraordinary &c &c

Taoutae's Answer.

I have received the communication in which you, the honorable Envoy and Minister Plenipotentiary acquaint me that to morrow at 12 oclock, you intend to send an officer to deliver to me an official letter.

In consequence of this, I consider it my duty to wait at the appointed time the arrival of that officer.

I avail myself of this opportunity to wish you an uninterrupted happiness.

See, Intendent of Soo, Sung and Tai Circuit &c makes the following communication.

In a conversation with you a few days since you informed me that His Excellency The Minister Plenipotentiary had arrived at Shanghae — I then requested you to address His Excellency as to what day I could call and pay my respects, receiving no answer from you I have to request that His Excellency will name a day and if you will communicate the same to me, I will be pleased to call on him.

U. S. Consulate April 5th 1858

To His Excellency See
Taoutai &c &c

I have the honor to acknowledge receipt of Your Excellency's letter requesting me to appoint a day for you to call in person to pay your respects to His Excellency Mr Reed.

In

In answer to which I beg to state that as His Excellency Mr Reed is so much pressed with official business at present and expects to leave this in a few days, I shall have to postpone appointing a day until some future period.

I avail myself of this opportunity to convey to Your Excellency my best wishes for your happiness and prosperity.

I have the honor to be

Very respectfully Yrs

(Signed) Geo. B. Glover

U. S. Vice Consul

Dispatch No. 13 - Ex 2a
10 April 1858

Translation

Shanghai, April 3. 1858

M. le Ministre,

I have the honor to send herewith to your Excellency the translation of a dispatch which the Viceroy of the Two Kiang and the Governor of this province have written me in order to communicate to me the reply which the Prime Minister of the Emperor at Peking has charged them to make to my dispatch of the 10th of February, a copy of which I then had the honor to send to your Excellency.

In my dispatch to the Prime Minister I demanded that a commissioner should be sent to Shanghai clothed with full powers to treat and to settle the questions to which I called his attention; and I intimated to him that if such a commissioner, having these powers, was not in Shanghai before the end of the month of March, I should then take such steps as appeared to me proper for the interests of the mission which is intrusted to me

It

To H. E. William B. Reed,

Envoy Extraordinary and Minister Plenipotentiary

of the United States of America.

It is now the 3d day of April, and Y. E. will see by the Viceroy's dispatch that the contingency which I had hinted at has unfortunately been realized. I may remark to your Excellency, further, that the Prime Minister Yu, in declaring that the laws of the Empire forbid him to communicate directly with me, has, of his own private authority, annulled the 33d article of our Treaty, which confirms in the most formal manner the right of the "high French authorities to correspond "with the high Chinese officers in the capital "or elsewhere, under the form of a dispatch or "communication."

Under these circumstances it becomes my duty immediately to repair to the North in order there to be in more direct communication with the Court of Peking.

I shall inform the Viceroy of the Koo Kiang and the Governor of this province of my determination, and shall say to them that I prefer still to regard this indirect reply of the Prime Minister as a nullity and of no account, so as not to have a new subject of complaint against the Chinese Government, which appears to make a mock of its most solemn engagements. I shall write in the same manner to the Prime Minister at Peking, announcing

my intended approach to the waters near the capital.

Such is the course of action which I propose to follow, and I hasten to make the same known to your Excellency, as I shall also do to his Excellency the Imperial Commissioner and Commander-in-chief of the Russian naval forces in the China and Japan seas.

Be pleased, Sir, to receive the assurances of my high consideration

(Signed) Bon Gros

Translation. The Governor-general of the Two Kiang to Baron Gros in answer to his note sent to Peking. Translated from Chinese into Portuguese by M. Marques, and from Portuguese into French.

Ho, by authority of the Great Tsing dynasty second guardian of the heir-apparent, President of the Board of War, Governor general of the Two Kiang, &c &c. with Chan, by authority of the Great Tsing dynasty, Vice-president of the Board of War, governor of Kiangsu, &c &c hereby make the following communication:

On the 23d day of the 1st moon of the 8th year of the reign Hienfung (Feb. 26. 1858) we received the dispatch of your Excellency dated 28th day of 12th moon of 7th year (10th Feb. 1858), accompanied by another dispatch addressed to the Minister of State Yu, which was placed under another envelop, and immediately forwarded to Peking. We have now received a dispatch from the Minister in reply, to the following effect:

"I have examined the communication "that you have sent me. As to the affair in "the district of Si-lin in the province of Kwangsi, "the criminal judge of that province, has, in "pursuance of the orders received from the "Imperial ex-Commissioner Yeh, made inquiry

"upon this matter, and has learned that the pri-
"soner (the missionary Chapdelaine) was one
"of the Canton rebels named Ma Tsu-nung,
"who had been guilty of robbery and outrages,
"and was not the missionary Ma Chen-fu. Be-
"sides this, there are foreign missionaries con-
"stantly found in the provinces, and they
"have all been transmitted to their consuls.
"If the said missionary has really been
"maltreated and actually put to death, how
"is it that previously to this, there has never
"been an instance in which similar bad treat-
"ment has been inflicted?

"Since the late Viceroy of the Two
"Kwang, Yeh, has managed badly, a decree
"has been promulged degrading him, and
"appointing Hwang to the post of Imperial
"Commissioner with injunctions to repair
"to Canton. Furthermore, it has never been
"the usage for Imperial Commissioners to go
"to Shanghai for the purpose of treating on
"any affair. The officers of the Celestial Empire
"have each their appropriate duties to per-
"form, and none of them have violated the
"law which forbids them to hold commu-
"nication with persons from abroad; which
"will explain why I cannot answer the
"French Imperial Commissioner directly, but

"but through the medium of your Excellency,
"it is important that he should be made
"acquainted with what I have remarked. If
"I act in this manner, it assuredly is not
"with the intention of not replying to him."

Having thus referred to this dispatch, it is proper also to observe to your Excellency that when the communication to which it is a reply was sent from Canton, it was not there known that His Majesty the Emperor had designated Kwang, the new Viceroy of the Two Kwang as Imperial Commissioner, who had received his orders to proceed to Canton there to inquire into and arrange affairs; and it was to apprise you of this decision that the dispatch [of the Prime Minister] was written. As the Imperial Commissioner and Viceroy of the Two Kwang has already left for Canton, it behoves us to inform your Excellency of it that you may know how to act in consequence, and that we may go on to obtain the result sought.

We desire at the same time to wish your Excellency every possible happiness.

As I am at this time in Changchau I have inserted only my official titles in this dispatch, not being able to affix my

seal to it. A special communication.

The foregoing despatch is addressed to his Excellency Ko (le Baron Gros) High Imperial Commissioner, specially appointed from the Empire of France embassador extraordinary invested with full powers, a hereditary Baron

Hienfung, 8th year 7th day of the 2d moon (21st March, 1858.)

Dispatch No. 13 - Encl 2
to April 1858

Legation of the United States
Shanghae April 5. 1858.

Monsieur le Baron,

I had the honour of forwarding to Your Excellency a few days ago, under a blank envelope a translation of the letter received by me from the Governor General of the two Kiang and the Governor of the Province

I have since received your Excellency's note of the 3d inst. covering a translation of a despatch — addressed to you by the same functionaries and explaining the course which you mean to pursue.

I now send to you copies of the letters which I have addressed in reply, to the Governor General and the Governor and the Ministers of the Supreme Council of State - and from them your Excellency will perceive my view of the present complication of affairs and it is a matter of great gratification to me, as I am sure, it will be to the President, that there is so close a concurrence of opinion and intention between us.

I beg further to remark to Your Excellency

His Excellency
M. le Baron Gros
Commissioner Extraordinary & Ambassador
of H.M. the Emperor of the French in China

Excellency what may not be without its interest to you, that the right of direct correspondence which I claim with the High Officers at Pekin is a derivative one from the Treaty between France and China, negociated by M. de Lagrené in October 1844 and the Article (Art. 2) of the Treaty of the United States which provides that if additional — privileges of whatever description should be thereafter conceded by China to any other Nation the United States shall be entitled to a complete, equal and impartial participation in the same.

Indeed therefore as I feel my country to be to some extent to the Agency of France, for this right under the letter of Treaties, I have especial pleasure in uniting with you as the Representative of His Majesty the Emperor in an urgent claim for their honest — fulfillment.

I beg Your Excellency to accept anew the assurance of my most distinguished consideration and regard.

I have the honour to be

M. le Baron,

Your Excellency's

most obedient Servant

William B. Reed.

Dispatch No. 13. Ex 2d
10 April 1858

Translation. Shanghai, 6 April, 1858.

M. le Ministre,

I have received the letter which your Excellency did me the honor to address me, inclosing copies of the communications which you proposed to send to the Governor-general of the Two Kiang and to the Governor of Kiangsu, as also of that to the Prime Minister Yu, or to the Supreme Council of State, in answer to the communications your Excellency had received from those high functionaries, of which you had already sent me translations under cover.

I thank your Excellency for these important documents; and I am sure that my Government will perceive with the same satisfaction that I have myself had, that your Excellency joins your efforts to ours in order to obtain from the Court of Peking the faithful execution of treaties.

I hasten, on my part, to transmit to your Excellency a copy of the replies — which

To H. E. William B. Reed,
Envoy Extraordinary and Minister
Plenipotentiary of the U. S. A. to China.

which I have this day sent to the high Chinese officials in question; and I shall be ready to start for the North as soon as the frigate "l'Audacieuse", which arrived yesterday at Wusung, shall be ready for sea.

I have the honor to be,
Sir,
Y. E. very humble and obedient Servant
(Signed) Bon Gros

Dispatch N°. 13. Enl. 2e
10 April 1858

(Translation)

Baron Gros to the Gov. Gen. of the Two Kiang
and to the Governor of Kiangsu.

Shanghai, 6 April 1858

The Undersigned, High Commissioner of H.I.M. the Emperor of the French in China, &c. &c. has received the communication which their Excellencies, Ho, Viceroy of the Two Kiang, &c. and Chau, governor of Kiangsu, &c. have done him the honor to address him on the 21st of March last in order to transmit the reply which H.E. the prime minister wished to make through their mediation to the dispatch which the undersigned had addressed to him directly on the 10th of February last.

This mode of procedure constitutes a flagrant violation of the 33d Art. of the treaty with France, in which it is said, "That hereafter the "official correspondence between the officers and "the functionaries of the two countries shall be "regulated according to their rank and respective "position upon the basis of entire reciprocity; "and that this correspondence shall be conducted "between the high officers of France and the "high officers of China at the capital and else- "where by the term dispatch or communication"

The undersigned desires, however, in a spirit of conciliation, at present simply to declare that he formally refuses to accept from the prime-minister the indirect answer that has been transmitted to him, and that he regards (non avenue et de nulle valeur) it as a nullity, and nothing worth. At the same time he begs their Excellencies to do him the favor to forward to the prime-minister of the Emperor at Peking, the inclosed despatch, in which he informs him, that the undersigned, having waited in vain for a Chinese plenipotentiary to reach Shanghai before the 1st of April, there to treat amicably with him as he had demanded in the name of his Government, — intends to repair to the north immediately there to communicate with more ease and quickness with the high officers at the capital.

The undersigned avails himself of this opportunity to wish their Excellencies the highest happiness.

(Signed) Baron Gros

Dispatch N°. 13. Encl. 2
10 April 1858

Translation.

Baron Gros to the Prime Minister of
the Emperor at Peking.

Shanghai, April 6th 1858

The undersigned, high Commissioner of H. I.
M. the Emperor of the French in China, &c &c
has received from their Excellencies Ho. the Viceroy
of the Two Kiang, &c, and Chau, governor of Kiangsu,
&c., the communication which they have done him
the honor to address him on the 21st of March last,
in order to convey to him the reply which H. E. the
prime-minister of the Emperor of China has
deemed it proper to make to the dispatch which
the undersigned addressed to him directly on the
10th of February last.

If H. E. the prime minister will have
the goodness to peruse the 33d Article of the treaty
with France, he will there see "That the official
"correspondence between the authorities and function-
"aries of the two countries is to be regulated according
"to their respective ranks and positions on the basis
"of entire reciprocity; and that this correspondance

"shall

"shall be conducted between the high officers
"of France and those of China at the
"capital or elsewhere under the form of dis-
"patch or communication"

In the face of such a formal stipulation, and one obligatory upon all Chinese functionaries how is it possible for H.E. the prince minister to refuse all correspondence with the undersigned, and how has he been able to bring himself to declare that it is from a principle religiously observed by Chinese officers, which forbids them to hold communication with strangers, that he has not found it proper to answer the undersigned directly? Without wishing to qualify a course of action which the undersigned does not comprehend, he here confines himself to a formal declaration to H.E. the prime-minister that the reply which he has deemed proper to have transmitted to him, is regarded as a nullity and nothing worth, but that still in a spirit of conciliation he does not intend to bring it up as a new

grievance

grievance for which he shall demand re-
dress.

The undersigned further remarks that the date of April 1st which had been fixed by him as the limit for receiving a satisfactory reply to his communication of the 10th of February, having passed by without any Chinese plenipotentiary having reached Shang-hai to negociate and settle in a friendly manner the differences now existing between the two empires, as the undersigned had demanded in the name of his own Government, he regains immediately his liberty of action, and shall repair to the north there to be able to communicate directly and without loss of time with the high officers of the Imperial Government of Peking.

The undersigned takes this opportunity to wish His Excellency the prime minister every happiness.

This communication is of great im-

portance

importance

(Signed) Baron Gros.

Dispatch No. 13. Exh. 28
10 April 1858

Legation of the United States

Shanghai April 7. 1858.

Monsieur le Baron

I have the honour to acknowledge the receipt of Your Excellency's letter of the 6th with its enclosures. I beg you to accept my thanks for them.

I hope to be ready to proceed Northward on Saturday next in the United States Ship Mississippi to be followed in a short time by the rest of the American Squadron.

Your Excellency's despatches for the Consulate at Hongkong were duly forwarded

I have the honour to be

Mr. le Baron

Your Excellency's

Most Obedient Servant

William B. Reed

A Son Excellency Mr. le Baron Gros

Commissioner Extraordinary & Ambassador of

H. M. The Emperor of the French in China

Dispatch N°. 13. Eg. 3e
10 April 1858

Shanghae. 5th April 1858.

Sir,

Our frequent and unreserved communications dispense me from making any comments on the note which has been prepared by me to be sent to the Dignitary Yu at Peking, in answer to his notification contained in the letter addressed to Your Excellency by the Governor General of Kiangnan, and to inform you of the course I am going to pursue in consequence of it.

Having the honor to inclose the aforesaid note for your perusal, I remain with assurances of my high consideration and esteem

Your Excellency's
most humble servant
C: Poutiatine

His Excellency
The Honble W. B. Reed
Envoy Extraordinary
&c &c &c

Draught of a note to be addressed to the Dignitary Yeu.

The decided persistance of the Supreme Government at Pekin in refusing to give becoming answers to the communications made to it by the Representatives of foreign Powers, induces the Russian Plenipotentiary to address that Government once more and to insist on altering this usage, offensive to other states and contrary to the best interests of China itself.

The Council of State or properly its senior member, the Dignitary Yeu, leaving without a direct answer the letter sent by the Undersigned and adopting a method of communicating with him through the Governor General of Kiang nan and then in a letter addressed to the American Minister has not acted according to the rules observed by civilized nations in their intercourse with each other.

In referring the Russian Plenipotentiary to proceed to the river Amoor and pointing solely to the frontier question, the Dignitary Yeu keeps a total silence on the other demands made by the Undersigned conjointly with the Representatives of America, France and England for forming more solid and closer ties with China, and thus leaves the principal question without any answer.

In consequence of this, the Russian Plenipotentiary finds it necessary to declare that

In

in endeavouring not to break up the friendly relations so long existing between Russia and China, he will however conjointly with the Plenipotentiaries of other States firmly insist on adopting by the Chinese Government in their principal features the three articles mentioned in the former communication made to the Supreme Council of State.

Therefore having now come to an understanding with the Representatives of the three other Powers, the Undersigned will proceed immediately to the North in order to come nearer to the Capital and to put himself in more direct relations with the Supreme Government at Peking.

Shanghae April 1858

Dispatch N°: 13. Exh. 3c
10 April 1858

Legation of the United States

Shanghai April 7. 1858.

Sir

I have the honour to forward to your Excellency draught of the letters which I propose to send to the Governor General of the two Kiang and the Governor of Kiangsu and to the Council of State.

I avail myself of the opportunity to say that I hope to be able to proceed on Saturday next to the North in the United States Steamer Mississippi, leaving the Minnesota here to complete some repairs and to follow me after the arrival of the next mail from the United States.

If your Excellency can make any use of her in bringing your letters North, I am sure it will give

Captain

To the Excellency

The Count Poutiatine

Imperial Commissioner Commander-in-Chief

&c &c &c

Captain Dupont great pleasure to promote your wishes.

I have the honour to be

Sir,

Your Excellency's

Most Obedient Servant

William B. Reed.

Dispatch N°. 13. Enc 4
10 April 1858

Legation of the United States
Shanghai, April 7. 1858

My Lord.

I had the honor to communicate to you last week the draughts of two notes which I proposed to send to the Governor-general of the Leo Kiang and the Governor of Kiangsu, and to the council of state at Peking.

I was led, on mature consideration, to change the form of these letters, and I have now the honor to send to your Excellency copies of those I have substituted, and which I shall to morrow send to the Taotai of Shanghai.

I avail myself of the opportunity to say that I hope to be able to proceed on Saturday next to the North in the United States steamer Mississippi, leaving the Minnesota here to complete some repairs, and to follow me after the arrival of the next mail from the United States. If your Excellency can make any use of her

To His Excellency
The Earl of Elgin & Kincardine
H B M High Commissioner
&c &c

her in bringing your letters North. I am
sure it will give Capt. Dupont great
pleasure to promote your wishes

. I have the honor to be,

My Lord.

Your Excellency's most obedient Servant

William B Reed

Dispatch No. 13. Encl. 5 & 6
10 April 1858

Translation

My dear Mr. Reed

I send you herewith the two documents of which I spoke to you, and as I have no duplicates of them I beg of you to have the goodness to return them to me when you have made a copy or a translation of them if you desire to do so.

I need hardly remark to you that there would be some inconvenience in making them public, and that I send them to you confidentially

With many compliments,

Very truly

Bon Gros

Shanghai, April 9. 1858

N. B. The two documents referred to are merely duplicate translations, only one of which is now forwarded.

Dispatch No. 13. Ex. 5
10 April 1858

Letter from Keying

Translation of Mr. Marquis. Translated from Chinese into Portuguese, and from Portuguese into French by Baron Gros.

Note.—The following memoir was found in the archives of Canton; it was in a special package containing many documents stamped with the seal of [the emperor] Taukwang, and it is inferred from the paper itself that it was written in 1845. It is entitled, A supplementary Memoir describing the particulars of the reception of the envoys of different barbarian nations, and has the autograph in vermilion giving it the Emperor's approval.

Your Majesty's slave Keying kneels at the feet of the throne, laying there the following memorial.

In the last memorial, which at an opportune time, I respectfully presented to your Majesty, I intimated that I had again been attending to the affairs of the barbarians, and mentioned the means I had used when treating with their envoys so as to direct and control them whenever I had occasion. It has pleased your Majesty to order the Council of State to make, after full examination, a report on the articles of the treaties which have been drawn up, and which I have submitted to the august approval of your Majesty. This is on record.

When the English barbarians had been pacified in the 7th moon of the 22d year (Aug. 1842) of Taukwang, the American and French barbarians came one after the other during the summer and autumn of the same year. During the three years which have elapsed since the commencement of the war, the mental desires of the barbarians have undergone numerous transformations, all caused by different motives: wherefore, the means made use of to calm and restrain them have likewise varied according to circumstances. If it has been best to act sincerely towards them at times, it has proved more effectual to manage them by stratagem, sometimes by letting them know a part of what should for the time be concealed from them, and then again dissipating their doubts that all wavering among them might cease. It has on these accounts been found useful to treat them politely, and receive them with affability in order that joy and gratitude might spring up among them; and yet it has been best to conceal many things from them or alter facts and not enter into discussions with them. By this procedure I have been able to succeed with them.

These barbarians, having been born and reared in far off lands, have never known either the laws or the customs of our celestial dynasty, and they very often put so strange a construction

upon

upon things that it is not easy to make them comprehend reason. For instance, when the words pronounced by your Majesty are transmitted [to the authorities of the country] by the members of the Privy Council, the barbarians regard these words as if they were decrees signed by your Majesty's own hand; and if we endeavor to make them understand that such is not the case, we have been unable to make them believe it. As I have just remarked this is one of the things we have not been able to explain clearly to them.

When the barbarians come together to dinner, which they call Ta-tsan (the great repast), they usually place themselves before a large table in great numbers, and there pass the time agreeably in drinking to each other's good health. At the dinners which I have given to the barbarians to do them honor, at the Bogue, at Macao, or elsewhere, their chief men have assembled, ten, twenty, or thirty in number; and when I have chanced to find myself among them, or on board their ships, & they have come together to eat and drink as they pleased, I could not well do otherwise then than to do them a pleasure by also drinking to their healths.

Furthermore, it is the usage and the custom of the barbarians to think very highly of their women; and when they wish to treat a guest with consideration they call their wife and daugh-

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ters in to receive him. It happened this way in the case of the American barbarian Parker and the French barbarian Lagrenée, who brought their wives with them and were always accompanied by them. When your Majesty's slave went to their houses to speak on affairs, all of a sudden these women presented themselves to compliment him; a proceeding which indeed caused me to reflect and made me ill at ease, while on their part it was a matter of great honor and satisfaction.

The customs of the different countries of Europe are of such a nature that they cannot be made to accord with the etiquette of China; and even if we should try to make them understand our own or wish to exhibit it to them, we should fail to dispel their ignorance and would only arouse their suspicions: moreover, too, as the barbarians have only come to China to make a friendly compact with us, we ought not to fail in receiving and treating them at least in a courteous manner, while, as soon as our relations with them become a little familiar it is imperative on us to immediately hold them aloof. Consequently, during the time that I have spent in negotiating treaties with the agents of different nations, I have always sent Hwang Nganteeng to admonish the barbarian envoys, and intimate to them that the high dignitaries of China, when they negociate public affairs

with

with other nations cannot overpass the limits assigned to them, or hold intimate relations with them, and when they wish to make presents to the Chinese officers, they must know that such will be formally refused, as it is impossible for the latter to receive the least thing from them: for should any one take a present secretly, not only would he infringe the laws of the empire in acting against their requirements, but it would be very difficult for him to escape the blame of his superiors.

The barbarian envoys have had the good sense on this occasion to follow my advice; but still as they have, at our interviews, offered me some trifles, such as some European wine, a few essences or perfumes, or other little objects of small value, in which their intentions were good, it would not have been expedient to refuse to take what they themselves gave me; but I have straightway compensated them for these gifts by presenting them with crystal Snuff bottles, purses, or other little articles which I carried about me, always returning them more than I received.

The Italians, the Americans, English and French have all requested my portrait, which I have given them.

Each of the foreign nations has its own sovereign, placing on the throne a man or a woman,

for

for a longer or shorter period: this is a procedure totally contrary to the laws of China. Thus, for example, the English barbarians have a female sovereign, the French and American barbarians place a man on the throne. The monarchs of England and France reign from generation to generation, while the chief of the American-barbarians is designated by his fellow-citizens and changed every four years, and as soon as an elected incumbent has finished his presidency he returns to the ranks of the people. The titles or the styles given to these various sovereigns differ among themselves, but most of these nations usurp the titles which we employ in China, from their vanity, just as the inhabitants of the other world do, who believe that in returning to this, they ought to relate a thousand extravagant things in order to do honor to their king. However these things do not matter much to us.

If we refer to the rules of etiquette which obtain in these foreign kingdoms subject to or tributary to China, we see that the barbarians observe neither the first nor the fifteenth day of each month, that they will accept no employ in our government, and in no way are they willing to forsake their usages, or to put themselves on the same footing as Cochinchina and Lewchew.

These people therefore, rude as they are in all

that

that appertains to the forms of addressing and negotiating with others, still act without reflection, ignorant of all things. If we ourselves lay great stress on the forms of their official communications, or analyse them somewhat the better to make them understand what is due to precedence, or even to show them where the second rank is, we should only fatigue our tongues and parch our lips; for after all they would turn a deaf ear and pay no attention to our words. Consequently, not only have we no means of getting them out of this lethargy, and compelling them to reflect, but we should find ourselves very soon at issue with them, which would in no way promote the regard due to the principle which ought to be practiced, viz. "that we ought to protect and "maintain peace with all who come from afar." Instead then of spending the time in vain disputes on things of no practical utility, it is much better to leave these puerilities in the background, and endeavor on our part to maintain a dignified policy.

These reflections are the result of the study I have made on the barbarian character in the circumstances in which I have been more or less favorably placed. Perhaps some of these remarks should be somewhat modified by further observation. However that may be, your Majesty's

slave

slave did not think it became him to occupy himself with any of them separately in a special memorial whatever was their relative importance, lest he should fatigue your Majesty's attention; and since too the affairs of the barbarians are already settled, your slave has deemed it best to bring together his observations in a single paper, which could then be clearly expressed to your Majesty, as it was his duty to do.

A respectful memorial.

Here are found traced in vermilion in the Emperor's writing some characters signifying.

"The manner of action is good. I have understood all."

Dispatch No. 13. Ex. 6
10 April 1858

No. 19 of 1858

Consulate of the United States of America
Ningpo, March 15. 1858

Sir,

The enclosed copy of a decree concerning assignments for the benefit of creditors I have now the honor to return, assenting thereto.

I have also to acknowledge the receipt of a printed circular in relation to the Coolie Traffic; with the instructions of which I shall cheerfully conform.

I take this opportunity to call your Excellency's attention to the adverse influences which are operating on American and British tonnage at Ningpo, and of the large increase of that under the flags of various consularly-unrepresented powers - in the coast trade. It will be perceived, too, that the same causes more or less affect that kind of American and British trade in all the open ports of China; and as it is an object for most of our smaller and medium-sized vessels waiting for home cargoes, and for others also, seeking charters, to engage in it, the removal of impediments to such enterprise is much to be desired.

The collection of maritime customs in China is everywhere so loose and defective that the ships of non-treaty nations entering its ports

set

His Excellency William B Reed
Minister Plenipotentiary of the United State

set at defiance the imperial regulations for trade, by neglecting to report their tonnage, and by refusing to exhibit their manifests. The revenue officers, too timid and too powerless to enforce their laws, compound with such for half tonnage dues, and for a moiety or less of the tariff rates on their import and export cargoes. Thus it happens that these lawless carriers are able to under charter vessels of the United States, Great Britain and France; such being, by the stipulations of treaties, obliged to pay these imposts in full. Our successful competition with this class of comparatively free traders, is therefore manifestly impossible.

It is a fact well known that the merchants in China who are citizens or subjects of either of the three treaty powers prefer to employ for coast traffic the ships of nations which are untrammeled by consular supervision or conventional laws. Under these circumstances, with great deference I beg leave to suggest, that in the negotiation of a new treaty with this empire, it would greatly benefit our commerce if U. S. consuls were not bound by it to act the part of quasi-collectors of the imperial customs, as they have hitherto done and are now doing under treaty engagements. This would put us at once on a fair footing with the non-treaty states, which are now

in

in point of fact, "the most favored nations"

Another disadvantage under which American vessels labor, arises out of their greater registered measurement. In British ships, tonnage is calculated at 50 feet, whilst in those of the United States it is calculated at 40 feet. The practical effect of this disparity is, that it obliges our ships to pay one-fifth more tonnage dues than would be required from ships of the same actual capacity, measured under the British rule.

I have the honor to be,

Sir,

Your Excellency's Obedient Servant.

Charles William Bradley

Esh. Gaz.
10 April 1858

SUPREME COURT, HONGKONG.

Nisi Prius, Extra Sittings,

Thursday, 25th March, 1858.

THE QUEEN *versus* LYALL, STILL & Co.—£1,000.

With a Special Jury, composed of J. B. Compton, John Scarth, W. Lamond, J. Costerton, D. Lapraik, J. McAndrew and G. Wiener, Esquires.

The Attorney General rose about half past twelve, and, after expressing his regret at the unpleasant task thrown on him, and indicating the points of law relating to the case before the Court, proceeded to detail the general facts. These were as follows,—

The British Ship *John Calvin*, owned by the defendants, contracted, in 1855, to carry certain Chinese Coolees from this port to Havana. The Master's name was Alonzo Thornhill, and the defendants executed a bond to the Crown in the Sum of £1,000, conditioned that the said Master should comply with all and every requirement of the Act of Parliament known as the Chinese Passengers Act. By these requirements no ship may proceed to Sea without a Certificate from the Emigration officer of the true number of people on board;—and, besides other penalties for neglect, the ship itself stands forfeited for breach of the law;—any person aiding and abetting being liable to a penalty of £100;—the master to an action for misdemeanour.

In March 1856, Chinese, to the number of 301, were assembled on board the *John Calvin* in Hongkong Harbour, and, on application, the late Mr Hillier, then Emigration officer, went on board, compared the reports of the several subordinate officers as to the capacity of the Ship &c, and on points where information was required it was readily given by Messrs Lyall, Still & Co.

One very serious question arose regarding the absence of a Doctor, and a Certificate dated the 28th of February was produced in which the Master stated that he could not get a Surgeon. This non-compliance with the Act Messrs Lyall, Still & Co proposed to meet by substituting a Chinese Medical man;—and another certificate was handed in signed by Kong Ahee and Le Atsit, to the effect that one Le Achoo was a fit and proper person to take medical charge of the passengers Dr. Barton went on board, too, and furnished a certificate that all the Chinese exhibited to him were in good health and free from infectious disease. Another difficulty arose regarding provisions. It was found impossible, Lyall, Still & Co. said, to stow away a sufficiency for the whole run, and it was then proposed that the ship should call at St. Helena, in which case rations for 82 days from the outset would be sufficient.

Commenting on these facts the Attorney General said the difficulty regarding the Medical man was illegally got over by Mr Hillier. But then, the learned gentleman went on to say came the more formidable difficulty, viz the measures taken by the Master, no doubt without the knowledge of Lyall Still & Co. A letter written by Mr Lyall to "My dear Hillier" dated the 8th of March ran that it would take them fully two days to give him an English translation of the Contract with the Coolies, and if he insisted on it the ship could not be dispatched 'till Monday (the 10th) The Spanish was a literal translation of the Chinese."

On the date of that note, the 8th, Mr Hillier made a minute, to the effect that he had been on board the *John Calvin*, and explained to the Chinese the purport of the agreement.—That thereupon a large number of the passengers declared they had not so understood the agreement.—Their objections appeared to be confined to the great length of service—to the absence of any provision for their passage back to China—and to their having no advance of wages—although in the agreement it was stated that they had had advance. Mr Hillier went on to say that he regretted to observe among the Chinese a few who in appearance were mere children;—and it was important that persons of such tender age should not be committed to an apprenticeship for such a lengthened term without the full consent of their parents or guardians. Some of the Chinese no doubt were exercising deceit in saying they had not had their advance wages;—they had shipped with the full intention of repudiating their agreements;—some, again, perhaps, had been misled by the brokers.—But, notwithstanding the manifest desire of Messrs Lyall, Still & Co. to act with fairness, it was incumbent on him to see that all on board did understand their agreements. That, as regarded firewood, there could be no objection to the ship's proceeding with a sufficiency for the run to St. Helena; but that all the provisions *must* be placed on board here. With respect to clauses 7 and 8 of the agreement, they must be cancelled altogether, and the general terms so modified that it should be understood "the time of daily labour was not to exceed on ordinary occasions twelve hours, and if on any day this should be exceeded, compensation should be made by a proportionate diminution of the time of labour on other days."

On the 11th of March, Mr Hillier went on board again, and took down the names of those who were willing to proceed. In another minute of that date Mr Hillier stated that all but 83 persisted in their refusal to proceed in the ship, and that there appeared to him but one of two courses to pursue—first to require proof of identity, knowledge of agreement, and receipt of money, or to grant a Certificate for 83 passengers only. If the first course were pursued, he must hold the investigation on board, and obtain the certification of Officers at Macao where the agreements purported to have been signed;—because, he went on to say, it was known that agreements were sometimes made by one party and transferred to another. Whatever was determined on he must be advised of soon; and Lyall, Still & Co. were recommended to get an official certification at Macao, or elsewhere to each agreement. Copies of these minutes were forwarded to the Colonial Secretary's Office, and referring to the subject, a note from Mr Mercer to Mr Hillier was among the papers on record, dated Tuesday (the 13th of March, the day the vessel sailed) in which Mr Mercer said "Regarding the *John Calvin*, I told Lyall, who was up here yesterday, that we had received a hint not to take liberties with the Passengers' Act.—that it was no doubt a hard case for them &c., &c.

There was a note also from Mr Lyall to Mr Hillier in which he said that the other men refused to go up to his office—they had a fear apparently that he was going to do something to them. "Therefore" concluded Mr Lyall "Please give the Certificate for the number fixed this morning, *viz*, Eighty one (81)." Such Certificate was given, and besides stating that there were 895 feet of space on the upper deck, and so on, certified that there were provisions on board for 147 days' issues to the passengers. This was wrong. According to Sir John Bowring's proclamation for the estimate of duration of a voyage to Havana at the period likely to be occupied by the *John Calvin*, there should have been provisions on board for 168 days. The vessel then cleared out.—The clearance—they had all run mad about dates—was dated the *Eighth* of March, and stated that there were *only* 81 passengers on board bound to St. Helena and Havana. The certificate was dated the 12th—the Clearance was dated the 8th.—The ship proceeded to sea within a few hours after receiving that clearance. From this date, the Attorney General stated, until the arrival at Havana, there was a blank in the documentary evidence. There arrived, however, the attention of the British Consul, and afterwards the Home Government, was drawn to the circumstance of the very frightful mortality that had taken place on board.

The Attorney General did not mean to censure any one; but here was a case of very great hardship towards the defendants. Mr Labouchere having written to Sir John Bowring to make the most stringent enquiry into all the circumstances connected with the voyage, Mr Mercer wrote to Messrs Lyall Still & Co., and those gentlemen, in the most liberal manner, told the Government *all* the circumstances;—furnishing them, moreover, with copies of letters from Captain Thornhill on the subject. In the same liberal spirit the defendants now allowed him to make use of those letters, and he would proceed to read what Captain Thornhill wrote. He repeated, that the reading of letters forming the strongest points of the case against the defendants, was a very great hardship. But with that hardship neither he, the Prosecutor, nor they, the Jury, had any thing to do. However unpleasant the duty, it must be performed. Mr Mercer in a letter dated the 9th February 1857, asked Messrs Lyall, Still & Co. to furnish such information as they might be able to give regarding the passengers in the ships *Duke of Portland* and *John Cal-*

vin. Replying on the 12th, Messrs Lyall, Still & Co. said that of the *Duke of Portland* they knew little, having been Agents only;—but as regarded the *John Calvin*, owing to the circumstance of their being owners of the ship, they could be more communicative, and they handed extracts of letters from Capt. Thornhill. Beyond the £225 spent at St. Helena, they, L. S. & Co. had taken great care that the ship should be provided with every necessary. The mortality, no doubt, was owing to the length of voyage, and from causes beyond their control.

Captain Thornhill's letter to his owners was dated the 23rd of September 1856, and informed them of his arrival at Havana on the 2nd of that month, after a passage of 171 days. That as he arrived with Typhus fever on board, the ship was at once placed in quarantine. Besides 111 of the coolies, 11 of the crew had died on the passage, either of Fever, Dysentery, Anasarcha, or the use or absence of Opium. After leaving Anjer the ship encountered very strong currents and adverse winds, and they had to anchor in the Straits of Sunda 'till the 15th of April, during which period the Typhus fever broke out, and by the time they reached St. Helena on the 28th of June (106 days from Hongkong) fifty five coolies had died. After leaving St. Helena they appeared to be much better; but then Anasarcha came on; and the strongest looking were taken ill and died off at a day's notice. On the 9th of Sept the ship obtained pratique, as many as ten having died during the detention in quarantine. Altogether, out of 285 leaving Hongkong, he, Captain Thornhill, landed 175 alive.

This letter was sent home, and the pleasure of the Crown taken on the subject. The answer was a direction to prosecute the defendants for the full amount of the penalty in the bond. On being asked by the Crown Solicitor if they would pay without further trouble, the defendants wrote asking what law had been violated. The answer was, that they landed at Havana more passengers than the ship cleared with. Other correspondence ensued, the result of which was an intimation by the Colonial Secretary, that the Governor's orders were peremptory, and he had no liberty to interfere either one way or the other.

And here the Attorney General went on to say, that though the Captain might have been misled by what Mr Hillier said, there could be no mistake in regard to the certificate. Every passenger beyond the 81 therein stated was carried in contravention of the law. It might have been an honest error on the part of the Captain, but his sureties had to answer for that error. Mr Anstey here discovered that he had overlooked a third minute by Mr Hillier, dated the 12th of March, in which he said the consenting Coolees then amounted to 83, but among that number only 69 contracts could be found. These 69 contracts were sent for the alteration and attestation suggested in his previous minute.

Finally, the Attorney General said, if the Crown recovered from the defendants they had an action against their Captain, and might recover from him.

For the more ready comprehension of the case, we have here first furnished Mr Anstey's statement of the facts. We must now go back to that which preceded this narrative, *viz* his indication of the law as affected by the proceedings of the defendants. The public mind in England had been much agitated by the news of the frightful mortality on board the *John Calvin*, and but for that agitation we should never have heard a word about the present action. A blue book had been promulgated containing the fullest particulars of the affair, and the Crown he might say Her Majesty, herself,—had directed the proceedings now instituted. Captain Thornhill, the principal, was beyond the jurisdiction of this Court;—so that the law had to be put in operation against his sureties, the defendants. If a verdict went for the Crown, the Jurors might return a special finding. With regard to Mr Hillier's apparent connivance at the departure of the *John Calvin*, with more passengers than were specified in his certificate, that connivance or act was a nullity;—the law could not recognize it. And here the learned gentleman cited two cases, in one of which, Dobson against Hudson in 1857, it was ruled that an Emigration Commissioner had no power to alter a contract;—and if Mr Hillier in the course of his perquisitions granted or connived at any departure from the stipulations provided by the Act, he exceeded his powers. If there were only one passenger on board more than was stated in his Certificate, by Regulation VI he might stay the ship.

The old forms of law in regard to emigrants were mild and merciful. Intending emigrants were not bound to work for more than five years;—and that term was determinable, on a month's notice, within the first year after arrival.—No man was bound to work more than four hours and a half daily.—He was entitled to ample supplies of food and clothing,—and always exempt from labour on Sundays.—If sick he was to have medical attendance and comforts *over and above* his daily rations.

Far different, exclaimed the Attorney General, are the regulations of the Imperial slave dealers of Cuba in their transactions for the export of labour from this island;—their cruelties are so atrocious, that the blood boils at a consideration of them;—and yet this is the kind of contract approved of by Mr Hillier. In the first place the term of service is eight years from the date of arrival in Havana in health;—if unwell on landing, then from the date of convalescence or discharge from hospital. To be at the absolute disposal of the party to whom he is consigned, or to whom soever he may be assigned—the bond being transferable.—And there can be no doubt of the intention to work the poor wretches in the mines, because the agreement runs that the apprentice shall work willingly at whatsoever class of industry or art to which he may be directed.—During sickness he has no wages;—and if he is untoward and refractory all compensation is to cease. Even the necessary hours for refreshment and repose are limited to the shortest period;—to such a limit, in fact, that Mr Hillier insisted on a modification according to words which he dictated. Of food the apprentice was to have eight ounces of flesh, and two and a half pounds of vegetables daily. In case of his refusing to work he renounced all right to an increase of emolument, even though the work performed before exceeded that of three slaves.

Clauses 7 and 8 were annulled. These ran,—

7a. Por ninguna razon ò por ningun pretesto podrè, durante os ocho anos por los cuales quedo comprometido en este Contrato, negar mis servicios al patron que me tome, ni evadirme de su poder, ni à intentarlo siquiera por ninguna causa, ni mediante ninguna indemnization, y para significar mas mi voluntad de permanecer bajo su autoridad en los limites que en esta Contrata le doy, renuncio desde ahora el derecho de rescision de Contrato que otorgan à los colonos los Articulos 27 y 28 de las Ordenanzas sobre colonizacion promulgodas por S. M. la Reina DNA. YSABEL 2a. en 22 de Marzo de 1854 y el que pudieran otorgarle otra ley o disposiciones que en lo sucesive è publicasen.

8a. E cuanto à casos de enfermedad convengo y estipulo que si esta escede de una semana se me suspenda el salario, y que este no vuelva a correrme hasta mi restablecimento o lo que es igual, hasta que mi salud permita ocuparme de nuevo en el servicio de mi patrono, no obstante el tenor de los Articulos 43, 44 y 45 de Reglamento citado, pues tambien renuncio al derecho que pudiesen otorgarme para ninguna otra ecsigencia que solo à fuerze de tramites costosos y largos pudiera llegar a justificarse ò à ser reprovada.

Consent to these clauses by the apprentice would be the renunciation of all right to appeal to the laws of Cuba—By no means should he try to escape—"I do from henceforth renounce my right to a cancellation of my agreement—as provided by Regulations 27 and 28 of the Act passed on the 22nd of March 1854. by the Queen Dona Isabella and in case of sickness I also agree to forego my right to any compensation according to regulations 43,44 and 45 of the Act quoted, and will not pursue redress by the costly and troublous paths of litigation!

"I read this to you, Gentleman of the Jury" said Mr Anstey, in order to justify the necessity of carrying out the stringency of the law. The Chinese no doubt did understand from this hell devised concoction that, as they expressed themselves, they were sold like pigs for the market;—and though they might afterwards repent there were no means to get a release. The only means lay in the regulations for the English Emigration officer, who, finding objections, might stop the ship.

The case for the Crown closed at twelve minutes past two, and shortly after wards Mr Day rose to ad-

dress the Court on behalf of the defendants. Mr Day admitted that the case had been fairly set before the Jury by the Attorney General who, he said, had acknowledged there was a harshness in the present proceedings.*

But he did not think the home authorities knew all the circumstances—The mortality was the Act of God, for which the Defendants were not responsible. There were calms, and the ship could not make progress—the Defendants were not morally responsible for these things. Indeed, but for the fanatical portion of the British community that haunted Exeter Hall, and who painted what had occurred in all the colouring of the horrors of "the middle passage" we should have heard nothing of this action. Sir John Bowring might have remitted the matter back had he pleased, but he did not choose to do so.

Mr Day wished the Jury to look at the case from two points of view. First, Mr Lyall wished the imputations on his moral character, by the connection of his firm with the shipment, cleared up—and Mr Lyall was desirous that his firm should not be made to pay £1,000.

Why did not the British Consul at Havana take measures against the ship? The papers were handed to him, and he found every thing had been done that could be done—Whilst in quarantine ten men died.

Mr Day then proceeded to dilate on the peculiar fitness of the late Mr Hillier for the duty of Emigration officer—on Capt Watkins's certificate that the ship contained 1985 cubic feet of space—enough for 397 Passengers not 297. Mr Hillier certified she could carry 301—that the ship was properly manned and every way fitted for the voyage—301 did not leave, but 297 left and with what was put on board at St. Helena the provisions were enough for double that number—and Mr Hillier knew this. Not only were there English but there were Chinese Medicines—As to the quibble about a Doctor, whey the law said a Surgeon—it did not say an English Surgeon or a Scotch Surgeon or the graduate of any University.

From first to last all that went in the ship were on board, and Mr Hillier would have given a Certificate for the whole number only some objected to go. The stock of provisions was computed on a voyage of 147 days.—Mr Hillier understood the Chinese language;—but notwithstanding this acquirement, he always employed an Interpreter. He did this because he could check what was said.

On the first examination of the Chinese, one told one tale, one another. On the second they each and all told a different story, and Mr Hillier made no scruple of saying he believed they all intended to cheat Lyall Still & Co. Mr Hillier, however, said he would not humour them by landing them here, and he told some of the worst of them that if they came to him he would send them to prison. Mr Lyall then went to Mr Mercer and told him distinctly he should despatch the Ship with all the Coolees that were on board. The whole thing from first to last was well known to Government. If Government thought there had been fraud why did they not re-land the Coolees, why not at Havana pursue the ship? No—This action arose out of the yelpings of a set who delight to oppress the Government and who, were the penalties of the bond not enforced, would ask why they were not enforced?

The act under which this bond was given is a highly penal act, and must be construed strictly against the Crown;—and Mr Day contended that as Lyall Still & Co. had a certificate that the ship could carry more than 81, they were entitled to carry more—It was Mr Hillier's duty to have given a Certificate for 297—What is there in the Act to say that we shall not take any more on board outside?

And as to provisions—The quantity of Rice required for the 297 men for 147 days was, at a pound and a half a day, 78,000 pounds—There were 120,000 lbs. The quantity of Beef, Pork and Fish required was 21,830 pounds—There were 22,000.

Of water for the whole voyage 33,000 gallons were wanted—Hence left 30,000 and 21,000 more were taken on board at St. Helena. As to Oil Vinegar &c. there were more than the law required. Dr. Barton supplied English medicines to the cost of $405—and subsequently Chinese medicines were put on board to the cost of $111 more.

That the men shipped with dishonest purpose was proved by the fact that, as expressed in Capt. Thornhill's letter to Lyall Still & Co, they were all quiet and submissive. Even when dying of fever there was no complaint—none on arrival at Havana. As to the Attorney General's remark that Lyall, Still & Co. had a remedy against the Captain—poor remedy that he feared. No doubt but were he here, he was liable to be tried for misdemeanour.—But bad chance of getting any money out of him.

The Hon'ble George Lyall, Esquire, J. P., M. L. C. was then sworn; and in reply to Mr Day's questions stated that he was part owner of the *John Calvin* before that ship was lost.† It was intended to send 301 passengers in her—Mr Hillier spent the greater part of three days examining the passengers. Deponent was with him nearly all the time. Only Eighty would consent to go. At the end of the period mentioned Mr H. said it was his duty to land the passengers if he felt dissatisfied with the treatment that had been displayed towards them, but that he would not land them. He had an Interpreter with him who read the agreement to the passengers—He said that though they denied it, he believed they had had their pay. He said he was convinced there was an intention to defraud. They desired to land and he would not let them. He said he would give a certificate that ship would carry 301—but he would not give it until the provisions were put on board. He would give a Passenger list for 81—I replied in that case I shall give instructions to the Captain to go—and if there is any trouble with the passengers to *then* land them at Macao. Mr Hillier replied it was for us to do as we pleased—it rested on our responsibility—I told Mr Mercer also of our intention, and he replied, he had received a communication from the Emigration Officer to the same effect—And the vessel went—she went in the day light. At first there were 301, but Mr Hillier took out 2 or 3 for attempting to make a disturbance, and he punished them. The Original list now in my hands states 312—but some were not on board. My idea is that when Mr Hillier wanted the men to come to his Office, and I wrote to him they refused to go—that they seemed to think he was going to do something with them—that Mr Hillier thought they might be changed; and I then reminded him of the morning's arrangement to give me a certificate of capacity for 301, and a list for 81.

Capt Thornhill passed a draft on our London Agents for expenses at St. Helena, and I find that in the account £87 is charged for 22,000 gallons of water. I provided for 302.

Cross examined by the Attorney General—I provided for 302 for 147 days with exception of water—Mr Hillier had noticed a deficiency of 5,300 pounds of meat, and a large deficiency in the firewood, I replied that the hold was not large enough—and that it was impossible to stow away so much. Mr Hillier replied it *must* be made possible—and the necessary meat was put on board. More firewood was to be put in at St Helena—I can not remember whether Lyall, Still & Co. also took out one or two passengers. I considered that as the authorities knew where and when the ship was going it was all right.

Attorney General.—At this lapse of time can you speak positively on the impression conveyed by Mr Hillier, in giving you the Certificate?—Was it not given to enable you to fill up?

Mr Lyall.—I do not think so.

Attorney General. But the act speaks for itself—There was no discretion in the Emigration Officer. The Certificate has to be given for so many *only* on board—Do you doubt these statements in Mr Hillier's minutes—"I regret to say a large number of passengers are determined not to proceed in the vessel."—"A few of the Emigrants are mere children, whom it would be improper to commit to such a term of labour without the full consent of their parents and guardians"? and then, in the second minute "All persist in refusal"—This was Mr Hillier's opinion, mind—Some were unfit to go

* In justice to the Attorney General, who had no opportunity for reply to Mr Day, it is only right to say, that though approaching the subject with every tenderness for the feelings of a brother Councillor, Mr Anstey never once made use of the word "harsh"—or led the jury to think there was *harshness*, in the sense in which the word has to be understood. Ed.

—How then could he be under the impression that all were going?

Mr Lyall—Mr Hillier certainly did not think they were going to be landed here. I told Mr Mercer they were going to Havana, and if they made great objections the Captain would take them to Macao, where many of them came from—I remember distinctly telling him the young children and *all* would sail for Havana. He replied 'twas on our responsibility—Mr Hillier said he should not land them. Most of the Chinese came from Macao.

Attorney General—What do you mean by saying you would land them at Macao—Would they be taken back there from Havana?

Mr Lyall—I mean—that if any of them made strong objections against going at starting from here, Captain Thornhill was then ordered to go to Macao and land them.

Attorney General—I understand you then that you do not impeach the accuracy of these statements in the minutes—you do not say but Mr Hillier acted in perfect good faith when so writing regarding the Passengers.

Mr Lyall—Certainly.

This closed the defendants' case; and the Attorney General was about to speak, when he was checked by the Chief Justice, who, addressing the Jury, said, if they believed Captain Thornhill's letter to be true, it was then his duty to inform them that they must find a verdict for the Crown; for that letter admitted that more passengers were on board than the Certificate of the Emigration Officer specified;—and, therefore, as the Act had been infringed, the penalty was clearly due. His Lordship dissented entirely from what had fallen from Mr Day regarding the law of the case. But, whilst finding for the Crown, said his Lordship, you can find that there was ample space for those that were on board—that the mortality was the Act of God—and that the conduct of the defendants throughout has been fair and honest;—such finding may serve to induce the government not to enforce payment of the bond. But you must find a verdict for the Crown, Gentlemen, and make whatever appendage you think proper.

After a short consultation the Foreman then said the Jury returned a verdict for the Crown, and that they wished to add they were satisfied every provision was made that could be made by the defendants for suitable provision for all those on board.

And, asked the Attorney General, "That the mortality was the Act of God?"—

And, responded the Foreman—"The mortality was the Act of God.,

And, said Mr Day. "That the ship was every way fitted for the voyage,"—

Court—You have "ample space"—"sufficiency of provisions"—"Act of God"—what do you want more?

Mr Day—If your Lordship will allow me—I will make another suggestion to the Jury—I will put it in the shape of a question—"Did not the mortality arise from the refusal of the Emigration officer to allow the Coolies to land?"

Attorney General—I have no objection to that—but would it not be better to ask—might not the Master have been misled by the act of the Emigration Officer?

Court—That would only be of importance providing there were an action against the Captain.

Mr Day—And it deceived the owners, too.

Attorney General—It would be well that in future the Emigration Officer were directed to exercise his functions by the strict letter of the Act.

Court—Clearly—You may add that to your verdict, Gentlemen.

Foreman—We perfectly concur with what your Lordship has stated—

Court—Very well—then I will so word it.

"And the Emigration Officer by not ordering the passengers out of the ship may have misled the owners."

Registrar—(4.30 P.M.) Gentlemen of the Jury—(a ten dollar note to each) you are discharged.

The Attorneys in Court were—For the Crown Mr Hazeland (for Turner and Hazeland)—For Defendants, Mr Gaskell.

Eph. 46

SHANGHAE, 3*rd March*, 1858.

To the Editor of the
NORTH-CHINA HERALD.

SIR,—I have taken the liberty to send you the enclosed written document respecting some of the horrors of the Coolie trade that at present exist at Swatow, what is stated are undeniable facts, to which I was an eye-witness, and I would further state that in the afternoon of the same day that the document was drawn up we discovered six more sick and dying coolies were landed from some ship and left in the open air with no one to own or care for them, some of the poor unfortunates were quite helpless and could not move without assistance and had not the undersigned of the enclosed document interested themselves with some of the Coolie Agents, there is no doubt they would be left there to perish of cold and hunger, they all appeared to be in a starving state continually putting their hands to their mouths to show us they were hungry, they all appeared in a most miserable condition. There is not the slightest doubt but great numbers of these poor fellows are taken away against their will. I was informed on undeniable authority that on board a Danish ship loading coolies at Double Island there was a company of thirty coolies who said they had been engaged from a town inside Namoa, to go to one of the neighbouring islands to carry fish and to their surprise they were brought to Double Island, and put on board the above ship against their will, leaving their wives and families ignorant of what had become of them and a great many more on board this vessel declared they were taken against their will. I think if one of our cruisers on the China coast were to touch at Double Island occasionally they would discover a fearful amount of misery and destitution and I think would make the Coolie Agents there be a little more humane to the unfortunate fellows who fall into their hands. It is generally believed the good intentions of our government are in a measure frustrated as we were informed the American ship *Mary Whitridge* was ready to proceed on her voyage, only waiting for the coolies then on their way from Hongkong to Swatow, who refused to proceed in the British ship *Tasmania*, I believe this statement to be correct and so the good intentions of our government fall to the ground. I wish with your permission to make this as public as possible for all that is stated can be confirmed by good authority.—I am, Sir, yours faithfully,

ROBT. BOVEY,
Commander "New Margaret."

SWATOW, (Double Island) *Feby. 8th*, 1858.

Which day at noon, in consequence of representations made to some of our number by two ship Captains, one being Captain Kerr of the *Brooksby* of Greenock, regarding dead and dying coolies lying exposed on this Island, we the undersigned proceeded to the spot mentioned to examine for ourselves. In one hovel, which has been occupied for months by the dead and dying, we found 7 dead bodies and among them one dying man who said that for four or five days he had got nothing to eat. This man had been sent ashore from a coolie ship, as he had a No. round his neck (262) and also the same dress (black wadded jacket, &c.,) as the coolies on board of the American ship *Mary Whitridge* now loading with coolies here, we went on round the shore outside the town and there counted 7 dead bodies, who, most, if not all, had evidently been put on shore from a coolie ship as they had blankets round them such as are given on board and tickets round their necks. Of these tickets we took off 3 and also in coming back a ticket from another lying nearer to the coolie shed first visited. This last had also the same dress as the man found dying. There was another body lying near him, making in all 16 bodies lying unburied, and exposed to be devoured, as is not unusual, by dogs and swine. In addition we found in another house, not so near as the hovel first visited, two coolies dying of want and one of them under high fever. Both could converse with us and one said that he had been sent away along with 5 or 6 other, from the black-sided coolie ship (the American). These are some of the horrors of the coolie trade as carried on here, which should be known to all, and which on grounds of humanity call loudly for the scrutiny of the Governments whose flag these coolie ships carry, and which we humbly think they desecrate by connection with such a traffic, and these exhibited within stone throw or gun-shot distance of the houses of various Captains and Merchants living here.

WM. C. BURNS,
Missionary to the Chinese.
ROBT. BOVEY, *Master*
British Bark "New Margaret."
WM. DE LA PORTE, M.D.

Despatch No. 12. Ex 8a
10 April 1858

Hongkong. 30th March 1858.

To His Excy

Hon W. B. Reed

U. S. Minister to China

Sir,

Under date of 27th October 1856 we filed a claim for the following merchandise left at Canton at the beginning of the difficulties in that year; said claim being sent into the American Consul O. H. Perry Esq viz.

	$.
15.600 peculs Rice	39.000
Teas purchased of Eshing & not shipped off	12.500
270 Bales Sheetings	17.550
5 Bales Lastings	1.800
3000 Boxes Fire Crackers	27.000
130 prels Rattans 1 Chop Rhubarb	7000
	$107.850

At the time of filing our claim we had reason

to

to suppose these goods would be or had been burned but the Chinese have taken care of them, and delivered them to us with strict integrity.

We write to Mr Perry withdrawing the above claims, and have only to say that if claims are to be admitted for imaginary damages, expected profits or disappointed hopes, we have plenty of such to make, but which we conclude our Government will not be willing to present.

We have the honor to be

Your Excy's obedient Servant

Russell & Co.

Dispatch N°. 12. Encl 8
10 April 1858

United States Legation
Shanghai. April 5th. 1858

Gentlemen,

I have this morning received your letter of the 30th, withdrawing all claim for actual damage to you at Canton, and beg to assure you that you need not trouble yourselves to present any of those claims you describe as "for imaginary damages, expected profits or disappointed hopes". I have never given any one, reason to suppose that such would be urged by me. Having already reported on your claim to the Department I shall now forward this correspondence. I am Very Respy &c

William B. Reed

To Messrs Russell & Co
Ningpo

Rec 30. July. Mr Lewis

Legation of the United States
Official on Board the Minnesota
No. 14. Gulf of Pechelí
April 28. 1858

Sir,

I have the honour to forward herewith some consular despatches relating to several items of current business..

1. The Consulate at Shanghae. On Mr Freeman's Resignation, I appointed Mr George B. Glover of New York, Vice Consul. He now holds the place till the arrival of the gentleman who, the newspapers inform me, has been appointed Consul. Mr. Glover's letters show the condition in which the affairs of the — Consulate were left by Mr. Knapp. It is painful to put this State of things on record, I avail myself of this occasion - and I do it more freely before any personal acquaintance with the gentleman recently appointed to Shanghae, to express the clear

Hon: Lewis Cass
Secretary of State
Washington.

clear opinion at which I have arrived, that the policy of the Government at home is a mistaken one, which by law prohibits to Consuls in China any active — participation in trade, and in practice avoids the selection of Missionaries. Either the responsible merchant or the single minded and earnest Missionary, nine times out of ten makes a better Consul than Recruits from that class of restless men at home who fancy these offices to be pleasant sinecures or profitable berths, who come expecting too much and being of course disappointed as as to ease and emolument remain here either inert a mischievously active. My preference, and it is founded on observation here, is that the best man for a Consular post in China, is a conscientious Missionary. I have certainly found it so. In one instance, that of Mr. Bradley at Ningpo, I find the trust well administered by an individual who is interested neither in trade nor missionary enterprise but in Chinese Studies. The classes failing I have thus referred to, then I am satisfied a responsible and respectable merchant is the best man. His position places him above the temptations and influences too prevalent here. I have no especial sympathy with the tone of feeling among the mercantile class in the East but I have a very clear judgment on the point to which I have referred. I hope you will not think I go beyond the line of my duty in these

Suggestions

suggestions, but finding on my arrival in China an almost universal desertion of post by individuals who had for one reason or another become discontented with the places they had so eagerly sought, and then seeing as I did at Shanghae, the principal port of China where American commercial interests need the most vigilant and judicious guardianship one act of official — impropriety after another ending in the crowning — disgrace of drunkenness and dishonesty, I cannot reconcile it to my sense of duty to be silent. If, as is believed, some governments make their colonial and consular posts, places of lucrative refuge for troublesome politicians and disreputable adventurers, I indulge the hope these earnest words of warning, wrung from me by what I have been compelled to witness here may prevent my country from falling into the same sad error.

2. I foward some further correspondence on the Coolie traffic to which I beg your attention. It speaks for itself. (Exhibits 1a, b, c, d)

3. I also send additional correspondence of no great moment between the mercantile house of Russell & Co. and myself on the subject of their claim on the Chinese Government. (Exhibits 4a b)

4. Mr Consul Perry writes to me under date of the 9th inst. that some painful discoveries have been made as to the desecration of the graves, I presume, of the

Americans

Americans near Whampoa but sends no particular report, promising one shortly to be made by the English French and American Consuls simultaneously to their respective Ministers. By reference to my despatch No. 7, you will see I have already alluded to this subject, though I then spoke doubtingly as to the facts, and I shall very much regret to find proof that such enormities have been actually committed by the Chinese. I have requested Mr Perry to communicate the facts directly to you, in view of my absence in the North.

I have the honor to be

Sir

Your obedient servant

William B. Reed

No. 8.

Dispatch No. 14. Enc. 1a
April 28. 1858

Consulate of U.S. at Amoy
March 17th 1858.

Sir.

Since my No. 7 of Feb. 26th I have had the honor to receive your Circular of Instructions in relation to the Coolie trade; your notice of the removal of Legation to Shanghai, and the draft of an ordinance in cases of Assignments for the benefit of Creditors &c.

In reference to the latter, it seems to me to be both simple & equitable in its proposed operation, & I herein return it with my approval.

In regard to the Circular concerning the Coolie trade, I have had a personal conference with H. E. the Tau-tai of Amoy &c. Who professes to regard the business with honor, & to be very desirous to stop it. Still there is a hesitancy on his part to commit himself arising, as I infer from allusions, from the fear of doing something which the English may not approve. At the suggestion of the Tau-tai, I have addressed a communication to H. B. Mts Consul in Charge

H. E. Wm B. Reed.

Envoy Extraordinary &

a copy of which find herewith, Enclosure No. 1. I have also officially addressed H. E. the Tau-tai, as he signified. that thus he might see his way more clear to act. by issuing a proclamation or otherwise. A copy of this (translation) you will find, as Enclosure No. 2.

If the local Authorities of this port could be induced publicly to announce that the Coolie trade is illegal, and that therfore no port clearance will be granted to vessels carrying Coolies, it appears probable an effectual check, if not stop to the business here would ensue. But the law should apply to vessels of all Nations. This H. E. the Tau-tai feels: Also I much fear, unless we have the officers of the British government acting in Union, the local Authorities, will act very inefficiently, if at all.

Acting on the supposition that the present or approaching crisis in Chinese affairs will be employed for remodelling our treaty relations with this Government, there is one subject to which I would ask your deliberate and serious attention. This is the securing of perfect and effectual religious toleration, for the subject of China as well

as for ourselves. On this subject it is my privilege herewith to forward a Memorial from the Missionaries here, of all nations - see Enclosure No 3. This will exhibit the more ordinary methods of persecution, in cases of refusal to participate in acts sustaining idolatry and may perhaps indicate what ought to be done.

What seems necessary is a guarantee that the local Authorities in all places, shall extend sufficient protection over the persons and property of Chinese subjects as well as ourselves, in the free exercise and practice of whatever religion they may profess - so that no one shall be injured in body or estate for refusing to join in sustaining, or in the practice of another religious system.

It is generally supposed H. B. Mt Plenipotentiary Lord Elgin, has been specially charged by his Government on this subject. If this be the case, and there be a diplomatic Union of action, this desirable point may be more easily gained. That be this so or not, it can be urged or rather claimed as a right according to certain Edicts of the late Emperor Tau-kwang but which is to be feared are not well known by local Authorities generally, or if known, are disregarded, as they would not dare to disregard a treaty stipulation.

There is also a political view of this subject. There is great reason to believe that the impelling cause in a great measure of that combination (at the beginning) which has resulted in the so called "Nan-king

rebellion was persecution for religious opinions and practices which bore no special ill will against local Authorities or the general government. The combination was formed out of self defence. It may be feared that others goaded by continual persecutions may be driven on to form undesirable combinations for self defence, the ultimate results of which no one could tell.

In thus urging religious toleration, I desire no special privilege for one class of religionists above another. Let all enjoy equally religious liberty, and equal protection in the exercise of that liberty, be they idolaters, or romanists, or protestants. Let those who please sustain their idolatry, but let not others be subject to bodily injury, nor to be robbed of their property, repeated cases of which I know of in or around Amoy - just because they conscientiously cannot and dare not unite in sustaining that idolatry.

With these remarks and the memorial referred to above, I leave this subject for your deliberate consideration.

With great Respect
I remain Your
Obedient Servant
E. Doty U. S. Vice
Consul.

Dispatch No. 14. Enc. 1
April 28. 1858

Copy.

Consulate of U. S. A. at Amoy.
March 15th 1858.

Sir.

I have received the commands of the Plenipotentiary of the United States in relation to the Coolie trade at Amoy, viz. that I the Vice Consul of the United States shall act in concert with the local Authorities to put a stop to the business.

I would therefore urge upon your Ex.y the Tau-tai's consideration, the following suggestions.

1. In case an American Vessel comes into this port to receive Coolies on board, it shall be my duty immediately to give Notice of the fact to the Collector of the Port in order that he may refuse the "grand Chop," without which such vessel cannot leave port. This is regarded as legal and just by the Plenipotentiary and myself.

2. In case the local Authorities may suppose any American Vessel has Coolies on board, they shall notify me, the Consul, and then it shall be my duty in connection with the local Authorities to examine the vessel and adjudge the case.

H. E. Tau-to
Tau-tai &c.

E. Doty.
U. S. Vice Consul.

Despatch 14. Encl. 1e
28 April 1855 Copy.

Consulate of U. S. A. at Amoy
March 15th 1855.

Sir

I am instructed by the Legation of the United States to China, to do all within my power to put an end to the so called "Coolie trade," as now carried along the Coast and from the legalised Ports of China.

This, of course has special reference to the Employment of American Vessels in such trade.

It is truly observed by H. E. the American Minister that,

"It is a trade in which, as revolting to humanity in its processes and results, no respectable American Citizen will participate"

"It is a trade which endangers the lives of the Mariners engaged in it, and of course involves terrible suffering and mortality among its principal victims - the Coolies themselves."

In order, therefore, to circumscribe, and if possible to put an end to this nefarious business, I am instructed to the following effect -

"Whenever such shipment is about to be made from one of the Treaty Ports in China, immediate notice is to be given to the local Chinese Authorities, so that they may withhold

W. R. Gingell Esq.
H. B. Ms. Vice Consul

the "grand chop" or port clearance. Whenever the local Authorities desire the aid of the Consul to visit vessels in order to give relief to any Chinese detained against their will, it is to be given promptly. The refusal of the local Authorities to give a clearance to an American Ship, unless Chinese subjects so shipped are discharged, is a "lawful requisition of the local Authorities which the Consul must respect."

I have had an interview with H. E. the Tau-tai on the subject, and shall further communicate with him. He seems disposed to act in the matter.

It would also be an encouragement to H. E. the Tau-tai to have your favorable influence and approbation, as your coöperation would give great pleasure to myself.

Respectfully
Your Obedient Servant
E. Doty
U.S. Vice Consul in Charge.

Dispatch No. 14. Encl. 1
April 28. 1858

Consulate of H.B.M. at Amoy.
March 19th 1858.

Sir.

It is my privilege to append a copy of a communication received from H.B.M. Consul in reply to mine of the 15th Inst. a copy of which goes as an Enclosure with Despatch No. 8.

H. E. Wm. B. Reed. I remain Your Very
Envoy Extraordinary &c. Obedient Servant
E. Doty.

Copy.

British Consulate Amoy
Sir. 18th March 1858.

I beg to acknowledge receipt of your letter of the 15th March, notifying instructions you have received from the U.S. Legation towards putting an end to the Coolie trade, in as far as regards the employment of American vessels, and asking my coöperation.

Her Majesty's Government, as far as in them lies, are determined to redress and punish the many abuses which have been connected with the shipment of Chinese Coolies in British vessels, and to this end have Her Majesty's Consuls been instructed. I have only to add that it will afford me great pleasure to be enabled in any way to coöperate with you. I have the honor to be, Sir,

Your Most Obedient Servant
W. Raymond Gingell
H.B.M. Acting Consul.

Dispatch N° 14. Encl° 1
28 April 1858

Amoy. March 17. 1858

To His Excellency Wm B. Reed,

United States Envoy Extraordinary & Minister

Plenipotentiary to China.

Sir:

We, the undersigned, the Protestant Missionaries, American and British, residing at Amoy, beg to submit to Your Excellency's consideration the following Memorial. We have also united in presenting a similar memorial to the British Minister Plenipotentiary.

In the new Treaties about to be formed with the Chinese Government, or in the modifications about to be made in former treaties, it is very important that the subject of religious liberty receive proper attention. This we believe to be the desire of the people and Governments of the United States of America, and of Great Britain, and of their Representatives in China. Yet, as we, in the discharge of our duties and by our position have had peculiar opportunities to notice the painful persecutions to which Chinese Christians are subject, on account of their religion, it seems altogether proper for us to call attention to them, by as brief a statement as possible. We shall confine ourselves to facts, of which some of us have personal knowledge,

or of which we have abundant proof, as having occurred in Amoy or in the immediate vicinity.

Persecutions which Chinese Christians suffer on account of their religion.

1. Their persons have been maltreated. There have been several instances of severe beating; in some of which, it is said, life was endangered.

2. They have had their fields and shops and houses plundered. In some instances they have been refused the public privileges of their village.

3. In several cases their patrimony has been seized upon. In one case, a whole family, after receiving severe beating, were turned out of their own house, their property appropriated by relatives, and they compelled to remove from their village.

4. They are hindered in obtaining houses for public preaching and public worship. At the town of Shih-ma, the original owner of the house, which is now occupied as a chapel, suffered two years imprisonment for selling his house to Chinese Christians for that purpose. Last year an Amoy Christian purchased a house in the town of Tung-ngan-heen and commenced repairing it that it might be used as a chapel. As soon as this was known to the authorities, warrants were issued for the arrest and punishment of the person employed as the "go-between" in the purchase of the building, and the persons engaged in repairing it, so that it was found impracticable to occupy the house as a chapel. At both of the above-mentioned towns opprobrious proclamations were issued by the authorities. In consequence of these and similar interferences by the authorities it is found very difficult, if not impossible, for the Christians to obtain houses for worship, in many places.

Causes of these persecutions. 1. Christians cannot conscientiously engage in the religious worship of ancestors. Therefore they are persecuted by relatives.

2. Christians cannot conscientiously contribute to the support of temples, or idol-

-atrous plays, or any idolatrous celebrations. Therefore they suffer persecution from their neighbours.

3. Christians refuse to take part in the village or clan feuds. Therefore they are liable to ill-treatment from their fellow-villagers or clansmen, and are left defenceless against the injuries of others.

4. Christianity is regarded as a foreign religion. Hence probably the opposition which has been manifested by the authorities to Christians obtaining places for public worship and public preaching: and hence also Christians, when they have been ill-treated by their relatives or neighbors and have applied to the authorities, have failed to obtain redress or protection. The former imperial Edicts granting toleration to Christianity, have not been altogether without influence, but they have not been sufficient to induce the authorities to protect the persecuted, and consequently have not been sufficient to restrain persecution.

We trust therefore that Your Excellency will take such measures as seem best to secure by Treaty sufficient protection to Chinese Christians and churches from oppression, whether by Mandarins, by the village or clan authorities, or by individuals; together with a distinct recognition of their right to obtain and hold places for public worship and instruction.

There are two other points connected with religious liberty, which we trust will be secured in the approaching Treaties, namely (1) That Chinese Christians be not debarred from obtaining literary and official rank because of their Christianity, and their consequent refusal to engage in the worship of Confucius or the Emperor, or in other idolatrous rites. (2) That Chinese subjects shall not be liable to any pains or penalties because of intercourse with foreign missionaries.

In the clauses of the Treaties referring to Religion, it is important that the Protestant religion, called by the Chinese the Yah-soo-keaou, should be distinctly and definitely specified by this name, and not left to be comprehended in the term T'heen-choo-keaou, which is properly applies only to the Church of Rome.

We have the honour to remain

Your Excellency's humble and Obedient Servants.

(Signed) E. Doty, Am. Missionary

Alexander Stronach } of the London
John Stronach } Missionary Society.

J. V. N. Talmage, Am. Missionary

H. J. Hirzchberg, of the Lond. Mis. Society

Carstairs Douglas, English Presbyterian.

W. K. Lea, of the London Miss'y Society

David Sandeman, } English Pres'n Mission.
George Smith. }

Dispatch No. 14. Enc. 1
April 26. 1858

Legation of the United States
U. S. Ship Mississippi
Gulf of Pichili. April 27. 1858

Sir,

I duly received your despatch no. 8 dated 17th March, with its enclosures and also yours of 19th. March.

Your action with reference to the coolie trade at Amoy is approved. I observe your remarks attributing the apparent hesitancy of the Taoutai to an uncertainty as to the views of the English Authorities, and I note with regret that Her Majesty's Consul limits his interposition to the 'abuses' of the Coolie trade. The trade itself is an abuse of the privilege of commercial intercourse which the Chinese Government gives to foreign nations, and the timidity of the Taoutai and the politic reserve of the English Consul show the influence and effect of the commercial spirit and official connivance which have done so much wrong to China.

Should there be any conference between the Penipotentiaries as to the terms of the Treaties we hope to make with China, I suppose the subject of what in the memorial

E. Doty Esq
U. S. Vice Consul, Amoy

memorial from the Missionaries which you forwarded to me, is described as Religious freedom, will be considered. It is of great interest but of peculiar delicacy. I regard it as fortunate that in the diplomatic experiment about to be made, we may have the benefit of counsel of those who profess different forms of Christian faith.

The practical difficulty, as it seems to me, to be overcome in determining the limitations of the protecting power of Christian governments over — missionary enterprise is very great. In that cause much must be left to the unaided and perhaps unprotected efforts of Zeal and intelligence combining to form the high impulses of a law obeying minister of truth.

It is still more difficult to devise treaty provisions which shall protect Chinese subjects in the exercise of their religion whatever it may be.

I beg you to accept for yourself & to present to the other gentlemen whose memorial you forward, the assurance of my high personal respect.

I remain

Yr. Respectfully

William B. Reed.

Dispatch No. 14. Enc 2
April 28. 1858

United States Consulate
Shanghai. March 9th. 1858

Sir,

I have the honor to acknowledge receipt of your letter of the 26th ulto, and was gratified to find that, in accordance with my request, you had appointed a person to relieve me from the duties of the Vice-Consulship at this port.

I have now to inform you that I have this day duly administered to Mr George B. Glover the oath of office and also delivered to him the ~~oath of office~~ Archives of the Consulate.

In retiring from the post to which you have honored me by an appointment, I beg to tender to Your Excellency my heartfelt thanks for the honor bestowed, and to express my most sincere good wishes for the success of your mission to China.

I have the honor to be
Sir, Your most obedient Servant
Albert L. Freeman

Hon. Wm B. Reed
United States Ambassador to China

Dispatch No. 14. Enc. 3
April 28. 1858

Consulate of the United States
at Shanghai March 31st 1858.

His Excellency
The Honble W. B. Reed.

Sir,

I have the honor to make the following report on the affairs of the Consulate at this place.

There has been great carelessness in the keeping of the records, as well as in the general management of the affairs of this Office during the latter part of the administration of W. Knapp Jr. since my appointment I have endeavored to get matters in such a position as to be able to make a report, but regret to say that it is impossible to do so in time of this mail.

The fees of the Ship "Good Hope" collected on the 1st of January of this year amounting to $22\frac{47}{100}$ of Ship "Oscar" collected on the 1st of January of this year amounting to $18\frac{24}{100}$ and of Ship "Surprise" collected on the 5th of January of this year amounting to $41\frac{30}{100}$ was collected by W. Knapp Jr. and not accounted for by him making a collection of $82\frac{04}{100}$ dollars which is $20\frac{90}{100}$ more than he is entitled to on account of his salary.

Hospital monies have also been received by W. Knapp Jr. of which no entry has been made.

Hoping soon to be able to report further.

I have the honor to be,
Sir, Very Respectfully
Your Obedient Servant,

Geo. F. Seward.
U. S. Vice Consul at Shanghai

(Dispatch No - Exp. 4th
April 28. 1858

Hongkong, 12th April 1858

Sir,

We received yesterday your Exc'ys communication of the 5th inst., in which you state you had received our letter of the 30th March, with. "drawing all claim for actual damage done to "you at Canton."

We must beg leave to protest against any such construction as your Excellency has been pleased to put upon our letter; and we would submit that the said letter had reference only to the goods therein named, leaving aside the question of damages

By a reference to your files your Excellency will find that there were other goods and furniture burned in the Factories by the acts of the Chinese, and for these we still claim in common with our countrymen. That there have been claims filed at the Consulate for imaginary damages, expected profits, &c., we are prepared to prove, but we deny that we asserted, nor can we be made to say, even by implication,

His Exc'y Wm B Reed
Minister Plenipotentiary &c &c of the U. S. A
Shanghai

implication, that your Excellency ever gave any one reason to suppose you would present, much less urge them; and we cannot therefore but regret the tone and spirit of your reply.

We have the honor to be.

Your Excellency's Obedient Servants

Russell & Co.

Dispatch No. 14. Encl 4
April 28. 1858

Legation of the United States.
On board U. S. S. Mississippi
Gulf of Pichili, April 27. 1858

Gentlemen,

I have received your letter of the 12th inst. Whatever may have been my misunderstanding of your former communication as to the extent of the withdrawal of your claim, it in great measure resulted from the inaccuracy of its statement.

In it, after stating, that on the 27th of October, you filed your claim with the consul and enumerating certain goods, you said, "At the time of "filing our claim we had reason to suppose that "these goods would be, or had been burned," &c. Knowing, as I did, and as I supposed you did, that no goods of any kind were burned till long after the 27th of October, I naturally thought there was a reference to the time of the actual burning, and a confounding in your mind of property as well as dates. The mistake shall be rectified.

In reference to the last clause of your letter, in which you say that you regret the tone and spirit of my reply of the 5th inst., I have merely

Messrs. Russell & Co
Hongkong

merely to recall your attention to the following passage in your first letter:-

"We write to Mr. Perry, withdrawing the above "claims, and have only to say that if claims are "to be admitted for imaginary damages, expected "profits, or disappointed hopes, we have plenty of "such to make, but which we conclude our Gov. "ernment will not be willing to present."

I submit to your cool judgment that there is in this an intimation that there was a possibility that such claims might be urged, and that if they were, you had "plenty" on hand. I cannot imagine that this was meant to be jocular, and if it was an inadvertence or in-earnest, it required from me at least the expression of my sincere regret that so inaccurate a language should be used, or such opinions even intimated. I am gratified to learn from your last letter what your exact meaning was.

I am,

Gentlemen,

Respectfully Yours

William B. Reed

Rec 30. July Mr Semple

Legation of the United States
On Board the Minnesota
Gulf of Pechili. April 28th 1858

Official
No. 15.

Sir

The Mississippi anchored here on the 17th inst. and I have remained on board of her until to day when the Legation has been again removed to this Ship. I am much indebted to Captain Nicholson and his officers for great Kindness.

A large portion of the English and French Squadrons is now at this anchorage. The Russian English and French Penipotentiaries have arrived.

This afternoon a communication has been forwarded to me announcing the appointment of an Imperial Commissioner for the purpose of—— negociation and his arrival near the mouth of the Peiho. He has asked an interview on shore with

Count

Hon: Lewis Cass
Secretary of State

Count Poultaline to morrow and with me the next day. No positive answer has yet been sent in consequence of an informality in the address of the letter which I am advised must not be unnoticed. Lord Elgin and Baron Gros have absolutely refused to receive those addressed to them. I thought it best to return the letter and request that what I chose to consider a clerical error should be corrected. I believe it will be done.

I regret that the very sudden despatch of the British Steamer prevents me adding to this letter, copies of one or two documents properly belonging to it. They are however of little interest and shall be forwarded by the next mail.

I have the honour to be
Sir,
Your obedient Servant
William B. Reed

Rec'd 11. Aug. Mr Dimick

Official
No. 16

Legation of the United States,
On Board the Minnesota,
Gulf of Pichili, May 6th 1858.

Sir,

In my last despatch (No. 15) I informed you of my having reached this anchorage and that it was believed an Imperial Commissioner had been appointed with powers to treat. I now give you the details of what has occurred from the time of my arrival until now. They are interesting and may be important, though I fear the immediate results, in consequence of the course of policy which the Representatives of England and France seem to think it their duty to pursue, may not be such as I hoped for. They are however yet too undeveloped to authorise me to express an absolute opinion.

On my arriving off the Peiho on the 17th of April, I found Count Poutiatine and Lord Elgin here. No other available military force had come than the British Steamer Furious, the frigate Pique,

the

Hon: Lewis Cass
Secretary of State
Washington.

the Cormorant armed despatch vessel and one gun boat. On the 20th the Audacieuse with Baron Gros on board accompanied by a gun boat, and on the 24th the Calcutta a line of battle ship carrying the flag of Admiral Seymour and a Steamer came in and on the next day the French Squadron of one frigate and five Steamers — On the 26th the Minnesota arrived.

Until the 23d although our personal intercourse was friendly and as constant as the State of the weather permitted, nothing of an official character passed between the English and French Plenipotentiaries and myself and little in the way of conversation on public affairs.

On the 23rd Lord Elgin and Baron Gros simultaneously addressed to Count Poutiatine and myself notes (Inclosures 1a b c d e) informing us that they meant to send another communication to the Authorities at Peking demanding the appointment of a Minister duly authorised to treat at Takoo, a place just within the mouth of the Peiho, and allowing six days as the limit of time for that purpose. Baron Gros merely announced to me that he meant to send such a demand. Lord Elgin said that if I thought fit to adopt the same course, it would in his opinion add to the weight of the Representations. I did not hesitate, but prepared and despatched a similar communication to Peking (Inclosure No 2a, ,).

Count

Count Poutiatine did the same thing, though you will observe in his letter (Inclosure 2c,) earnest expressions of anxiety that no new obstacle should be interposed by the Chinese to preliminary negociation, and a reference to the fact that high functionaries of some sort had arrived, a fact in consequence of our distance from the shore, not before known to either Lord Elgin, Baron Gros or myself.

On the 26th I received a communication (Inclosure No 3a) from Tsung Lun and Wu, two high officers, advising me of their arrival at Tientsin deputed by the Emperor "to investigate and manage", acknowledging the receipt and dispatch of the letters of the 24th, but deferring any further action till on them the Imperial will was known. This seemed proper, and no answer was sent or needed. Tsung Lun was the Imperial Commissioner who received Mr. McLane and Sir John Bowring in 1854

From the 24th to the 30th, - the six days fixed by the letters, - not one word passed between the English and French Plenipotentiaries and myself, and the time expired without conference of any kind. It was not for me to suggest it, though I began to feel that such reserve had its inconveniences.

On the 28th a letter came addressed to each of the Plenipotentiaries announcing the appointment of a special Imperial Commissioner.

H

It was observed by those familiar with Chinese forms that in the address of the communication there was a derogatory informality in the word China being unduly elevated above the nation addressed, which it was suggested ought not to pass unnoticed. Count Poutiatine thought it best to pay no attention to it, and received the letter. The French and English Ministers absolutely rejected theirs, but my Secretary of Legation, Mr. Williams, in whose judgment on such matters I have great confidence, and to whom it was brought during my accidental absence from the ship, thought best to read the letter and then return it with a direction that the clerical mistake (as he thought it best to consider it) must be — corrected, or no notice would be taken of its contents.

On the 30th it was brought back in due form and received (Inclosure No. 4). You will observe that appended to it is a postscript; by which the idea of clerical mistake was adopted with great facility.

Down to this point of time - the morning of the 30th, I had, as I have said, received no intimation of the intentions of the English and French, though on the previous day their whole available force consisting of six light draught but heavily armed Steamers several of which had arrived in the interval, had

crossed,

crossed the bar and anchored close to the Chinese batteries. Count Poutiatine, whose ship was anchored much nearer in than the others, had landed and met the new Imperial Commissioner on the 29th, and was in actual conference with him when the armed ships came in. He describes the scene as one of great excitement, mingled indignation, and alarm; and it was only through the Russian Minister's earnest intercession that the Chinese were dissuaded from the madness of firing on the ships, and beginning hostilities, of which of course they would be the first victims. The invasion of the men of war you will observe was within the six days allowed to the Chinese. Of all this I was I confess an anxious, and by no means contented observer.

Had I had no other reason for approaching still nearer to the place designated for negociation, I found ample ones in the rank of the new Commissioner – the highest of the Governor-General and of the second of the nine official ranks in the Empire – and in the perfectly courteous and respectful tone of his communication; – and also in the fact that I had said I should come on this day. I took for granted it was the intention of the English and French Ministers to go in, and did not dream of the new scruple as to the technical

full

full powers of the Commissioner not being exhibited in advance.

I left the "Minnesota" at 2 o'clock in the afternoon of the 30th, and embarking with my suite and a small escort, on board the chartered Steamer "Antelope," crossed the bar, that ship anchoring in the river as close to Tallow as the position of the English and French Steamers — admitted.

In view of the peculiar State of things around us, the Russian Minister, who entered the river at the same time with me, and I had exchanged letters of mutual explanation, the tone of which, so far as I took part in it, I hope the President will approve. You will find a number of letters between us, which though some of them were originally private notes, too well explain our views to be omitted (Inclosures, No. 5, 11a, 6a 6c)

You will observe that in the communication of His Excellency Tan, the new Commissioner, he courteously expressed a wish that I should notify him of the time for our interview, "in order," he says, "that the "Minister of the United States may be properly received". Early on the next day, two Chinese officers came on board the "Antelope," desiring to know my pleasure as to the time of reception, and urging that it might not be delayed. My answer addressed to the Commissioner is enclosed (Inclosure no. 7)

That

That answer reveals some of the perplexity which I felt at the apparent want of concert and confidence (and it applies with equal force to the Russian Minister) on the part of Lord Elgin and Baron Gros, and at finding the Ship on board of which I was, in the close neighbourhood of others whose threatening intentions could not be mistaken. Still, determined that no want of courtesy should be attributed to me I gave the answer to the — — Commissioner, and at once sent a copy to the English and French Ministers. On the same evening, and I believe only in consequence of my letter, I received from Lord Elgin and Baron Gros their communications (Inclosures, No. 4b, c ... k)

From them I learned the new difficulty which had arisen as to the absence of a proffer of what, in the language of Western Diplomacy, is known as "full powers" by the Chinese Plenipotentiary. I had no hesitation as to my own course, and was gratified to find that in the view which I took of the duty imposed on me as the Representative of a friendly and neutral power, I had now the thorough concurrence of Count Poutiatine, to whose earnest and honest efforts to avert difficulty I can hardly do justice — I forward with this despatch notes addressed by him to the Allied Ministers, copies of which he — furnished to me, which show his feelings and opinions

on

on this subject. (Inclosures No. 6a 6b 6c)

It seemed to me that when an Officer of high rank, announced himself as specially deputed by his Sovereign "to deliberate seriously concerning the affairs" at issue, it would have been a mischievous punctilio, that prevented me from at least meeting him and thus ascertaining the precise extent of his functions. I had not last year asked Yeh for the production of 'full powers' antecedent to the interview which I demanded and I saw no reason for making it a condition precedent to an interview now. Besides I could not persuade myself that the technical rules of Western diplomacy should be asserted against this strange people.

The circumstances attending the —— ineffectual conference of Mr. McLane and Sir John Bowring in 1854, to which Lord Elgin refered, were different. Their powers of any kind were disclaimed. Here at least modified, full powers are claimed.

Taking this view of my duty, I landed at the Taku forts on the afternoon of the 3d, —— accompanied by Mr Williams, the Secretary of Legation, my interpreters and a number of officers from the "Minnesota" and "Mississippi". I will not trouble you with the ceremonial details of this conference but need only say, that according to the testimony of the gentlemen accompanying me who were familiar with Chinese ceremonial, every courtesy was extended and every form complied with, that was due to my position and rank.

I send a summary of the interview (Inc. 8) prepared by the Secretary of Legation, which is substantially correct. The results were these: that while technical full powers in writing were not delegated to Tan, he had power to discuss and agree to a treaty, to be refered in the aggregate, though without signature, to the Capital. Of course in admitting this to be sufficient as a preliminary I assumed that he told the truth. But in this assumption and to guard against the probable disingenuousness that characterises Chinese diplomacy I thought it best to exact some evidence that the Commissioner had what he professed, direct official relations to Peking. I therefore demanded that my letter to the Imperial Government from the South of China should be produced, and some assurance given in an official form that the letter from the President to the Emperor would be properly and on terms of equality received and acknowledged. Both these assurances were given and five days agreed upon for that end. I announced to his Excellency at the expiration of that time my intention to meet him again. The interview, though in some measure of the character of an introduction, was satisfactory. At all events it put me in personal relations to the highest accredited

Representative

representative of the Empire. (Inclosures 8, 12a)

I returned to this ship at the outer anchorage the next day and my first duty, as it seemed to me, was to address to the Ministers of Great Britain and France as earnest a dissuasive as I could with propriety send them, of a precipitate resort to hostilities.

Such hostilities I especially dread. I have seen enough already of war in China to make me think of it simply with disgust. It is the bloody warfare of the strong and the weak. It is war which afflicts individuals, disturbs trade and produces no results. Limited to any extent and I yet believe, as at Canton so here, there will be no wilful aggravation of inevitable suffering, it is very dreadful and the idea of forcing access to Peking by the exertion of military power is to me utterly repulsive. I fear as a matter of strategy it will be a failure. The letter which I have addressed to Lord Elgin and Baron Gros (Inclosure 9a) is meant to be an appeal from any rash judgment which the —— perversity of this people may have precipitated. It is written I trust in a spirit of friendliness, and as you will observe from the answers just received (Inclosures 9b,c) is so acknowledged.

The English and French Plenipotentiaries have made a new demand and allowed a further suspension of hostilities (Inclosures 9c,e)

Coincident

Coincident with this, the Chinese have made a direct effort to secure the good offices of the Russian Plenipotentiary and myself to bring about a settlement. The correspondence on this subject so far as it has gone explains itself. (Inclosures 12a-19c)

I repeat the expression of the earnest hope that the President will approve the effort we are making to avert further troubles from this afflicted and disorganized Empire.

I have the honour to be
Sir,
Your obedient Servant.
William P. Rend.

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over

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Gulf of Pichili, May 6. 1858.

Exhibit	From	To	Subject Matter	Date
1a.b	Lord Elgin	W.B. Reed	Inclosing notes to Prime Minister Yu & Gov. Gen. (with two short notes)	23. April
1c.d	Baron Gros	Do	Inclosing notes to same, granting six days for answer.	23. "
1e	Do	Do	Note about sending dispatches to Taku (with that not to Lord Elgin on same)	23 "
2a	W.B. Reed	Yu, at Peking	Allowing six days to send a Commissioner	24 "
2b	Do	Lt. Poutiatine	Forwarding above, with reasons for its terms.	24 "
2c	Lt. Poutiatine	Yu, at Peking	Allowing six days for Minister to be sent to Taku.	24 "
3a	Tsung & Wen	W.B. Reed	Announcing their appointment as Commissioners	26 "
3b	Baron Gros	Do.	Thanking him for note & inclosing copy of note of	28 "
3c	Tsung & Wen	Baron Gros	Announcing their appointment to enquire	26 "
4	Yan	W.B. Reed	Informing him of appointment as High Commissioner	29 "
5	W.B. Reed	Lt. Poutiatine	Explaining views in respect to position towards Chinese	27 "
6a	Lt. Poutiatine	W.B. Reed	Answer to preceding, agreeing thereto and inclosing	30 "
6b	Do	Baron Gros	Explaining his remarks to Chinese officers on shore	29 "
6c	Do	Do	Desirableness of patient firmness towards Chinese	29 "
6d	Do.	Lord Elgin	Thinks the Chinese have acceded to demands of 24th April	29 "
7a	W.B. Reed	Yan.	Acknowledging dispatch, and must delay interview	1. May
7b	Do	Elgin & Gros	Incloses to each a copy of the preceding	1 "
7c	Lord Elgin	W.B. Reed	Reasons for doubting the authority and powers of Yan	2 "
7d	Yan	Lord Elgin	Informing of his appointment as High Commissioner	29 April
7e	Lord Elgin	Yan.	Demands to know if he has full powers	30 "
7f	Yan	Lord Elgin	Explains his ability to treat under reference	30 "
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7h	Baron Gros	W.B. Reed	Incloses letter he has written to	2 "
7i	Yan	Baron Gros	Announcing his appointment as Imperial Commissioner	26 April
7j	Baron Gros	Yan	Reciting demands of the French upon China	30 "

Dispatch 16. Ex. 1a
6 May 1858

No 1a

H. M. S. Furious
Gulf of Pechelee. April 29. 1858

Sir,

I enclose for your Excellency's information the copy of a note which I propose to send to morrow to the Prime Minister of the Emperor of China, and the copy of a letter to the Governor-General of Chihli through whom it is my intention to transmit the former to its destination.

I have reason to believe that Baron Gros is about to make a similar communication to the Prime Minister, and should Your Excellency see fit to adopt the same course, it will no doubt add to the weight of our representations.

I have the honour to be
Your Excellency's
most obedient
humble Servant
(Signed) Elgin & Kincardine

His Excellency
The Honble W. B. Reed
&c &c &c

Dispatch N: 16. Ex. 1d
8 May 1858

Copy

In a letter bearing date the 1st instant and written from Shanghai, the Undersigned had the honour to apprize the Prime Minister, &c., &c that the Prime Minister having, by refusing to correspond directly with the Undersigned, set the Provisions of the treaty between Great-Britain and China at nought, the Undersigned had resolved to proceed at once to the North in order that he might place himself in more immediate communications with the High Officers of the Imperial Government at the Capital.

He has now to state that in pursuance of the above intimation he has arrived off the mouth of the Tientsin River, and that he is prepared to meet at Takoo either on board of his own ships or on shore a Minister duly authorised by the Emperor of China to treat with him and to settle by negotiation the several questions affecting the relations of Great Britain with China which are detailed in a letter of the Undersigned to the Prime Minister bearing date February 11th.

If before the expiry of six days from the date of the present communication, a Minister so accredited shall not have presented himself

at

at Takoo, the Undersigned will consider this pacific overture to have been rejected and deem himself to be thenceforward at liberty to adopt such further measures for enforcing the just claims of his Government on that of China as he may think expedient.

H. M. S. Furious
April 24. 1858

Dispatch N: 16-1a
6 May 1858

Copy.

The Undersigned has the honour to request that His Excellency Tan, Governor General of the province of Chihli will transmit to the Capital at his earliest convenience the enclosed despatch to the address of His Excellency Yu, Senior Chief Secretary of State

Compliments.

H. M. S. "Furious"
Off the Port of Taku
April 1858

Furious, Ap. 23. 1858

My dear Mr. Reed

I intend to dispatch Baron Gros' note and mine from this ship to the shore at 8 a.m. tomorrow morning. If you like to avail yourself of that opportunity, I shall be happy to forward with them any letter which you may send on board the Furious before that hour.

Yours very faithfully
Elgin & Kincardine

To H. E. Mr Reed
&c &c

Dispatch 16 - Ep. 1e
6 May 1858

N° 16

A bord de l'Audacieuse, le
23 Avril 1858. Devant le Peiho.

Monsieur le Ministre,

J'ai l'honneur d'envoyer ci-joint à Votre Excellence une copie de la note que je me propose d'écrire au premier ministre à Pékin et que je lui ferai parvenir par l'entremise du Gouverneur Général de la province de Chéhli, auquel je l'addresse.

Cette note portera la date du 24 de ce mois et le terme accordé pour qu'une réponse y soit faite expirera le 30.

Je saisis cette occasion pour renouveler à Votre Excellence l'assurance de mes sentiments de haute considération.

Bon Gros

A Son Excellence Monsieur Wm B. Reed, Envoyé Extraordinaire et Ministre Plenipotentiaire des Etats-Unis d'Amerique en Chine.

&c &c &c

Dispatch N°. 16 - Enc.1
6 May 1858

A S. E. Yu, premier Ministre de l'Empereur a Pékin

A bord de l'Audacieuse, devant le Peiho,
le 24 Avril 1858.

Le Soussigné s'empresse d'annoncer à S.E..... que, conformément à ce qu'il a eu l'honneur de lui écrire par une dépêche expedié de Shanghai, le 6 de ce mois, il vient d'arriver à l'embouchure du Peiho pour y attendre le plénipotentiaire d'un rang égal au sien, et muni de pouvoirs suffisans, qu'il plaira à S. M. l'Empereur de nommer pour traiter et arranger à l'amiable les différends qui existent malheureusement entre les deux Empires et qu'ils ont l'un et l'autre un intérêt puissant à faire disparaître.

Les négociations pourraient avoir lieu à Takou, soit á bord de l'un de nos bâtiments qui s'y rendrait, soit à terre, dans la lieu où serait envoyé un plénipotentiaire dûment accrédité par l'Empereur de la Chine.

Le soussigné attendra pendant six jours encore, à partir de la date de la présente communication, qu'une réponse satisfaisante lui soit faite; mais, si a l'expiration de ce délai, un plénipotentiaire Chinoise n'était pas venu se réunir à lui, il se considerérait comme ayant éprouvé un refus et il prendrait, desors, telles measures qui lui paraitraient convenables pour faire admettre en fin les justes réclamations que l'Empire de France á adressées

au Gouvernement Chinois.

Que le Conseil Suprême de l'Empire ne se fasse pas d'illusions ; ce n'est plus à Canton que des négociations peuvent avoir lieu. Les Commissaires Impériaux qui y ont été envoyés n'ont jamais présenté sous leur véritable jour au Gouvernement Suprême de l'Empire, les affaires relatives aux grandes puissances étrangères, et il est de leur intérêt, comme de celui de la Chine, qu'à l'exemple des grandes nations civilisées de l'Occident, les représentans des souverains étrangers puissent communiquer directment avec le Gouvernement Suprême de l'Empire. C'est là le meilleur moyen de rétablir la bonne harmonie entre les deux nations et de la maintenir à tout jamais.

Les évènemens actuels n'auraient pas eu lieu, si cette mesure d'une haute sagesse avait été prise depuis longtemps.

Le Soussigné saisit cette occasion, etc

Dispatch No. 16. Enc 1e
6 May 1858

Audacieuse, 23 April 1858

Mon cher Monsieur Reed

Je vous envoie une copie de ma note au premier ministre. Elle partira demain à huit heures, avec celle de Lord Elgin. M. de Belle. court se rendra demain matin à huit heures, avec ma note à bord du Furious, et assistera à sa remise. Lord Elgin me prie de vous en prevenir comme de son côté il en previent le Cte Poutiatine et si vous voulez profiter de cette occasion il enverra votre note avec plaisir; il serait bon, je crois, qu'elles arrivassent toutes les quatre ensemble, n'importe comment.

Mille compliments empressee de la part de votre bien affectionée serviteur

Bon Gros

Mississippi, April 23. 1858

My dear Lord Elgin

I had accidentally, in the course of the day, heard of your intention to send another note to Peking, and told Baron Gros in the afternoon that if my concurrence in this step were desired there should be no delay on my part. Not hearing from you till a late hour, I made an arrangement of boats with Cte Poutiatine, and am therefore unable to avail myself of your kind offer.

Very faithfully Yours
W B Reed

Dispatch 16 - Gp 2a
May 6. 1858

The High Authorities at the Capital of His Majesty The Emperor of China having refused to correspond with the Minister of the United States as by Treaty they were bound to do or ~~by~~ to send a Plenipotentiary to Shanghai to meet him, no alternative has been left to the Minister but to come to the mouth of the Tientsin river and meeting no Plenipotentiary there to endeavour to approach still nearer to the presence of the Emperor himself. He is now here with that intent. But anxious to be the means of averting trouble from the Empire and to offer anew his good offices, he again addresses His Excellency and urgently asks for the immediate appointment of a — Plenipotentiary to arrange all matters fit for negociation. If on or before the last day of this month such a Plenipotentiary shall present himself at or near Takoo, where the Undersigned means to be, there will yet be room for peaceful preliminary negociation. If not, the Undersigned shall regard the refusal as indicative of a hostile feeling on the part of the Imperial Authorities which will preclude all good offices and leave the Government of the United States and its Representative at liberty to seek redress by other means and to approach still nearer to the Capital if he deems it expedient to do so.

U. S. S. Frigate "Mississippi"
Off the Peiho, April 24th. 1858

W. B. Reed

Dispatch 16. Cy. 2a
May 6. 1858

The Undersigned has the honour to request that His Excellency Yaw, Governor General of the Province of Chih-li will transmit to the Capital at his earliest convenience the inclosed despatch to the address of His Excellency Yu, Senior Chief Secretary of State.

Compliments

William B. Reed

U. S. Ship Mississippi
April 24th. 1858

To H. E. Yaw, Governor General of Chihli

Dispatch 16. Exh. 2a
May 6. 1858

Legation of the United States
On Board the "Mississippi"
April 24th. 1858.

My Lord,

I have the honour to acknowledge the receipt of Your Excellency's note of 23rd and to enclose to you the copy of a note which I have to day addressed to the Prime Minister and Council of State at Peking.

I am My Lord
Your Excellency's
Obedient Servant
William B. Reed

His Excellency
The Earl of Elgin & Kincardine
&c &c &c

The same note sent to Baron Gros

Dispatch 16 - Ex. 2d
6 May 1858

Legation of the United States
U. S. Ship "Mississippi"
April 24th. 1858.

Monsieur le Comte,

I have the honour to enclose to you the copy of a note addressed by me to the Prime Minister and High Council of State at Peking, and forwarded this morning. This, as you are aware, has been done in accordance with a suggestion made by their Excellencies Lord Elgin and Baron Gros, in which, though the course was decided on without conference with either of us, it was your opinion we had better acquiesce. My own impression is that had their Excellencies, who unfortunately occupy a quasi belligerent attitude, been as well prepared for action as we believe ourselves to be, this suggestion would not have been made, but the first occasion seized of entering the river and personally demanding the presence of a Plenipotentiary. Still I entirely agree with Your Excellency that it is best for us to continue to act in concord when a course that our judgment approves even seems to be prescribed to us. I need scarcely say how much more satisfaction I have, (and it is a feeling which I am sure will be shared in by my Government,) in the "really frank and unreserved confidence" which exists between us.

I was much gratified to learn yesterday from Baron Osten Sacken that a proposition

of some kind for conference with Your Excellency had been made or was about to be made from the authorities on shore. It is the first symptom of a proper policy on the part of the Chinese and some indication that they distinguish between those who have been friends and those who have [redacted] not. Should a proposition for negociation be made and it assume the form of separate conference it occurs to me that a precedence may well be claimed and yielded to us as the Representatives of strictly neutral and pacific governments.

I have the honor to be
Monsieur le Count
Your Excellency's
most obedient servant
William B. Reed

His Excellency
Count Poutiatin
&c &c &c

Dispatch N: 16. Ex 2e
6 May 1858

2e

Translation of the Note addressed to the Senior Member of the Supreme Council of State, the Dignitary Yu, on the 24th April, 1858, Steamer "America", at the mouth of the river Peiho.

The Plenipotentiary of Russia has received with pleasure the information conveyed to him yesterday, of the arrival of two high functionaries from Peking, for the purpose of opening negociations with him. On his own part he is ready without loss of time to enter into communication with the abovesaid functionaries, but finds it needful to apply once more with a request to the Dignitary Yu that an immediate appointment should be made of some high personages duly accredited to treat on subjects of general interest with the Representatives of all the Powers that have made known their demands to the Cabinet of Peking.

By mutual consent of all the Plenipotentiaries the place of Ta-koo has been found convenient for the preliminary negociations, and the term of six days from this date is accounted sufficient to await the arrival of the expected high dignitaries from Peking.

The undersigned, moved with a sincere desire to ward off the calamity that threatens China, earnestly requests the Dignitary Yu to induce his Government to accept the proposal of the Representatives of the four great Powers, and to comply speedily with their present demand.

Compliments.

(Signed) Ct Poutiatine.

N° 3a.

Tsung, superintendent of the granaries at the metropolis, with Wu, an under secretary of the Privy Council, both high officers of the Ta Tsing Empire, hereby communicate on business.

Whereas Your Excellency, having made an application to proceed to the capital, & the local officers at this place not being qualified to memorialize the throne, have on their part announced the matter to the Governor General of the province of Chihli, that he should lay it before the court, His Majesty's commands have in consequence been received to the following purport:-

"His Majesty's commands have been personally "made known to us, appointing Tsung, the superintendent "of granaries, with Wu, under Secretary of the Privy "Council, to proceed to the mouth of the river of Tientsin "to investigate and manage. From the Emperor."

In accordance with this we left the capital and have reached Tientsin, from whence we now address you this letter.

On the 24th inst. Tsien, the Treasurer of this province, had an interview with your country's interpreter, at which time were brought the dispatches of several countries, each of them one; but since those dispatches were addressed to the Gov. Genl of this province, they

have

have been forwarded by Yrien, the Treasurer, to him, that the latter may in due order memorialize respecting them. It will be proper therefore to await His Majesty's commands issued on receipt of his (the Governor General's) memorial as to the manner of action in the premises, when we will again communicate with you, and appoint a time for an interview.

An important communication sent to

His E. Wm B. Reed

Envoy Extraordinary & Minister

Plenipotentiary U. S. A.

April 26th. 1838

Translated by S. W. Williams

Dispatch 86. Exh 3d
May 6. 1858

A bord de l'Audacieuse
Golfe de Pichéli, 28. Avril 1858

Monsieur le Ministre,

J'ai reçu la lettre que Votre Excellence m'a fait l'honneur de m'écrire le 24 de ce mois, en me faisant parvenir une copie de la nouvelle note qu'elle destinait au premier ministre à Pékin, et qui a été remise aux autorités des forts qui défendent l'entrée du Peiho en même temps que la mienne et que celle de nos honorables collègues d'Angleterre et de Russie.

En vous faisant parvenir mes remerciments pour cette communication, je saisis l'occasion de vous renouveler, Monsieur le Ministre, les assurances de la haute considération avec laquelle j'ai l'honneur d'être

de votre Excellence

les très humble et très obéissant serviteur

B'on Gros

L. S.

A Son Excellence Monsieur W. B. Reed, Envoyé Extraordinaire et Ministre Plenipotentiaire des États-Unis d'Amerique en Chine

d. d. du 29 Avril 1858, un retard apporté dans l'envoi de cette dépêche me permet d'y joindre une traduction de la communication officielle que j'ai reçue des deux hauts fonctionnaires Tsoung et ou récemments arrivée de Pekin

B. G.

Dépêche N°. 16. Ex. 3e

Communication des Commissaires Impériaux envoyés dans le Peiho. 26 Avril - 1858

Traduction

Tsoung, haut Commissaire Impérial de la dynastie des Tsing et administrateur général des greniers publics et des Salines:

Ou, haut Commissaire Impérial de la dynastie des Tsing, et Ministre du Conseil de l'Intérieur font la communication suivante:

Le noble envoyé (voir note 1) ayant déjà présenté une demande pour obtenir la permission de se rendre à Pekin (voir la note 2), et les employés de ce district n'étant pas autorisés à écrire à la cour pour demander des ordres à ce sujet se sont adressés au Gouverneur du Tchéli, pour qu'il écrivit

de

de leur part un mémoire au trône, et par suite de cette démarche un ordre verbal de l'auguste Empereur est venu nommer pour Commissaires Impériaux nous, Tsoung, administrateur des salines et des greniers publics, et Ou, Ministre du Conseil de l'Intérieur, et il leur a été enjoint, en même temps, de se rendre à l'embouchure de la rivière de Tien-tsin, et là, d'y examiner et d'y traiter les affaires.

En exécution de cet ordre, nous sommes déjà arrivés à Tien-tsin, et nous vous addressons d'avance cette dépêche pour vous en informer.

Le onzième jour de la présente lune (le 24 Avril 1858) le trésorier Tchien a vu votre interprète. Votre noble nation (voir note 3) et les autres lui ont remis chacune une dépêche, et, comme ces dépêches sont des représentations (voir note 4) au Vice-roi, elles ont été déjà transmises par le trésorier Tchien au vice-roi du Tchéli pour qu'en les voyant il présente un memoire à la cour.

Dès que l'Auguste Empereur daignera décréter comment il faudra traiter les affaires, nous écrirons de nouveau à V. E. et nous désignerons le jour où l'entrevue aura lieu.

En conséquence, nous envoyons

la

la présente dépêche à V. E.

Communication Spéciale.

La dépêche ci-dessus est addressées à Kó', haut dignitaire et plénipotentiaire de France, le 13e jour de la 3e lune de la 8e année de Hien Foung (26 avril 1858)

Notes

Note 1. Le caractère Ché-tchen, bien que signifiant Envoyé d'une nation, est cependant une expression peu noble et ambigue, puis-qu'il signifie aussi un simple messager officiel, nom que l'on donne aux envoyés des pays tributaires. Les mandarins de Canton ont employé les caractères Kuei Koun-ché, ou Kuei-la-tchen "le noble Envoyé publie".

Note 2. On a employé ici le caractère chang, représentation, qui n'est usité que dans les requêtes adressées par un inférieur à son supérieur, ainsi qu'on peut le voir dans les dictionnaires de Gonzalves, de Medhurst, de Wu-Kuei et autres. Cette façon d'agir est non seulement contraire aux clauses du traité, mais elle est en désaccord avec la dépêche du plénipotentiaire Français, puisqu'il n'a jamais demandé la permission

d'aller

d'aller à Pékin. Une autre preuve que ce caractère a été indûment employé, c'est que plus bas, en parlant des fonctionnaires du district qui adressent une requête au Gouverneur Général pour qu'il veuille bien transmettre un mémoire à la cour, on se sert de ce même caractère chang toujours humblement employé par un inférieur qui s'adresse à son supérieurs.

Note 3. Le caractère Kuei-Kwoh "son noble royaume" ou "sa noble nation", se trouve placé ici au milieu de la ligne, et on laisse à peine l'espace d'une lettre en blanc entre lui et le caractère qui le précède, au lieu de le mettre à la tête de la colonne qui suit, comme il eût été convenable de la faire, surtout lorsque c'est pour la première fois que les fonctionnaires Tsoung et Ou s'adressent à l'Ambassadeur; il fallait en outre faire quelque différence entre eux et S. E., et cependant, après les caractères qui indiquent ces employés et le trésorier, on a également laissé l'intervalle d'une lettre en blanc, ce qui est tout simple, puisque Tsoung et Ou ne parlaient que d'eux ou de leurs employés, mais ce qui est inconvenant lorsqu'il s'agit d'un haut fonctionnaire.

Note 4. Dans cette dépêche, les titres de M^r de

le

le Baron Gros ne sont pas énumérés comme ils devraient l'être ; au lieu de copier comme l'ont toujours fait les hauts fonctionnaires chinois, le protocole dont on s'est servi dans les dépêches de l'Ambassadeur c'est à dire Ko', haut Commissaire Impérial spécialement nommé par le grand Empereur de France Ambassadeur Extraordinaire muni des pleins pouvoirs et Baron héréditaire, on ne trouve dans la présente dépêche que Ko, haut fonctionnaire et plénipotentiaire du grand Empire de France.

Dispatch 16 - Enc. 3
May 6. 1858

H. M. S. Furious

Gulf of Pechelee. April 27. 1858

Sir,

I beg to thank Your Excellency for the translation of a communication from the Chinese Officers on shore with which you have furnished me, and to inform you that I have received from the same quarter a letter couched in the same terms.

I have the honour to be

Sir,

Your Excelleney's

most Obedient

humble Servant

(Signed) Elgin & Kincardine

His Excelleney

The Hon: W. Reed

&c &c &c

Dispatch 16. Eq. 4
May 6. 1858

No 4.

Tan, Imperial Commissioner of the Ta Tsing Empire,
President of the Board of war, junior censor of the censorate,
governor general of the Province of Chihli and its dependencies,
general of Tsz' King, Mihyun, and other passes [leading beyond
the Great Wall], and Superintendent of the provincial revenue
and affairs of the transit, hereby communicates on business.

Whereas I was on a circuit of inspection of the
provincial troops, when I received your Excellency's communication,
I immediately took the despatch and forwarded it to the Prime
Minister Yu, who having presented the matter to the Throne in
a memorial, has now received His Majesty's commands specially
designating me to proceed forthwith to Taku and in ——
conjunction with the previously appointed imperial Envoys
Tsung, Superintendent of the Granaries, and Wu, under ——
Secretary of the Privy Council, to see their Excellencies the
Honourable Foreign Ministers and there seriously to deliberate
with them concerning the affairs mentioned in the letters of
their several nations. The proper days for having interviews
with each [foreign Minister] can be decided on after
consultation in order more conveniently to discuss with them
the several points.

As is meet, I send now this communication to
Your Excellency, that you may designate on what day you
will come into the mouth [of the river] where I can have

an

an interview and it is desirable that the day may be previously notified by a communication that I may be able to receive you properly.

A necessary communication addressed to H. E. William B. Reed, Envoy Extraordinary and Minister Plenipotentiary of the United States to China.

April 29th 1858.

Note. The clerk who wrote out the former despatch had never had practice before in writing papers for foreign countries, and had no formula before him but the present despatch is written out in a more correct manner.

Translated by S. W. Williams

Dispatch N: 16 - Ex. 5
May 6. 1858

Legation of the United States,
On Board the "Minnesota",
April 27. 1858.

Sir,

In our repeated conversations, I have explained fully to Your Excellency the precise relations which, in obedience to my instructions, in the present condition of affairs in China, I desire to have to the Chinese government and to the Treaty powers. I believe I understand Your Excellency's position. But in view of the silence which the Plenipotentiaries of France and Great Britain seem to feel it their duty to maintain as to their intended movements, and the complications which may arise should hostilities occur on or after our entrance into the Peiho river, I think it best to put in writing my views, and shall be glad to know, in the same form, if they coincide with yours.

It is my determination as heretofore to maintain an strict neutrality. Having united with your Excellency and the other Plenipotentiaries in letters dated the 24th inst. asking anew for the appointment of a Plenipotentiary to meet us within six days at or near Taku, a point within the Forts at the mouth of the river, it is my wish to go there. But I have no intention of forcing my way in case

To His Excellency
The Count Poutiatine
&c &c &c

case of resistance into the river or even of going so far as to invite aggression on the part of the Chinese. It is our understanding as Representatives of peaceful powers, that we shall go in company ready to negociate if opportunity occurs and peaceful measures be pursued and, should unfortunately hostilities occur, either by the act of the Chinese or the English and French, to be at hand to interpose our good offices to mitigate the suffering which must ensue, and to try to arrest a conflict, the processes of which may be very bloody and disastrous.

If, as I believe you do, you concur in these views I need hardly say, I shall be most happy to cooperate with your Excellency and at this apparent crisis of affairs, to strengthen those relations of confidence and cordiality which we have throughout maintained.

I have the honour to be

Sir,

Your Excellency's

Obedient Servant

William B. Reed.

Despatch 16. Exh. 6a
May 6. 1858

Steamer "America", at
the mouth of Pei-ho,
April 30, 1858.

Sir.

I beg to be excused for not answering your letter of the 27th April sooner: — my interview first with the two functionaries sent from Pekin and then with the Governor General of Tchili and other provinces, who invited me to meet them on shore, has taken up all my time during the last days.

With the views and the mode of action that have been considered by us together and which are now stated in your Excellency's communication to me, I concur perfectly and believe them quite proper to be adopted by us in the present circumstances. Representing two neutral states, in the conflict which may be expected every moment to arise again between China and the Western Powers of Europe, we ought to be ready on the spot of action to try by good offices to prevent or at least to diminish the effusion of the blood that may ensue. This will be an

His Excellency the Honble W. B. Reed,
Envoy Extraordinary and Minister Plenipotentiary &c. &c

act of humanity and will no doubt serve our interests as well.

I enclose herewith a copy of the communication sent by me yesterday to Baron Gros and Lord Elgin, for your Excellency's perusal, and begging leave to assure you of my high consideration, I have the honour to be

Your Excellency's

Most humble Servant

C. Pouliatine

Dispatch 16 - Eg. 6
May 6. 1858

(Copie.)

Lettre au Baron Gros et Lord Elgin.

A bord du vapeur "America," dans le golfe du Petcheli, le 29 Avril, 1858.

J'ai eu l'honneur de prévenir V. E. par ma lettre du 24 Avril, que je me ferai un devoir de communiquer à Elle les résultats de mes entrevues avec les fonctionnaires Chinois arrivés de Pékin.

Ayant reçu hier une invitation de la part du Gouverneur Général du Tchili de venir à terre pour une entrevue avec lui, je n'ai pas hésité de m'y rendre. Dans cette entrevue j'ai cru devoir lui faire observer les suites fâcheuses que pourrait avoir le renvoi par les trois plénipotentiaires des notes qu'il leur avait adressées; ces notes n'étant pas écrites dans les formes de respect dû au rang élevé des Représentants des grandes Puissances intéressées dans les affaires de la Chine. A la suite de ces représentations le Gouverneur Général a consenté à donner aux lettres refusées la forme voulue, et m'a promis de les envoyer ainsi corrigées demain matin à tous les quatre Plénipotentiaires. J'ai tâché ensuite de lui faire comprendre la nécessité dans les circonstances actuelles de faire droit à nos réclamations collectives, et de ne rien entreprendre ce qui pourrait amener le commencement d'hostilités.

Je lui ai aussi parlé des affaires qui

concernent la Russie spécialement, et j'ai insisté sur le droit d'être reçu à Pékin d'après nos traités et sur l'urgence d'une solution définitive et sur les lieux mêmes des questions de frontières entre la Russie et la Chine. Il a promis d'en référer à Pekin et de faire la dessus son rapport à l'Empereur, ce qui prouverait que ses plenispouvoirs sont assez restreints.

Il est heureux que les Chinois n'aient pas fait de resistance à l'entrée des batiments de guerre dans la rivière; de cette manière l'effusion du sang a été evité au moins pour le moment et peutêtre entièrement, ce qui serait tout-à fait conforme aux sentiments pleins d'humanité de V. E.

Veuillez agréer etc.

(Signé) Cte Poutiatine.

Pour copie conforme Sécretaire de la Mission

(Signé) Baron Fr. d'Osten Sacken.

Dispatch 16 - Encl. 6
May 6. 1858

(Copie.)

Lettre au Baron Gros.

J'ai reçu la lettre avec ses annexes que V. E. m'a fait l'honneur de m'adresser, et je me hâte de lui exprimer mes sincères remercimens pour toutes les communications qu'Elle à bien voulu me faire. Croyant que vous avez confiance dans la sincérité de mon désir de voir la Chine s'ouvrir à l'influence bienfaisante des nations chrétiennes en employant aussi peu que possible des mesures violentes, je prends la liberté de Vous soumettre quelques pensées qui me sont venues pendant la lecture des pièces, que Vous m'avez fait parvenir.

Il est à peine possible d'exiger dès à présent du Gouvt Chinois, qu'il suive et se conforme aux usages adoptés dans les relations entre les Etats Chrétiens, et il me parait que le décret exhibé par le Gouvr Genl du Tchili contient tout les pleinpouvoirs que le Cabinet de Pékin pouvait donner à son Plénipotentiaire vis-à-vis des demandes aussi importantes, et en même temps peu compréhensibles pour lui. Dans des rélations antérieures les fonctionnaires Chinois déclaraient pour la plupart du temps qu'il leur était impossible de rapporter à l'Empereur des demandes d'une importance bien moins grande, le Gouverneur Général Yan n'a pas eu recours à un pareil subterfuge. Il est hors de doute que si le siège des conférences était à Canton, et même à Shanghai, il y aurait de grands inconvénients dans la nécessité de référer continuellement à Pékin; mais dans le Peiho toute communication avec la capitale prendrait à peine quatre ou cinque jours de temps. De plus il est à peine possible même en Europe qu'un diplomate qui se trouverait dans une position aussi critique que celle de Yan, ne se verrait obligé de prier qu'on lui accorde le temps de demander de nouvelles instructions de son Gouvt.

Ces considérations, et plus encore le désir de n'avoir recours aux armes qu'à la dernière extrémité, désir essentiellement conforme aux sentiments magnanimes qui ont toujours distingué la nation française, décideront peut-être V. E. à consentir à ouvrir des négociations avec Tien. Il est en même temps à prendre en considération que vis-a-vis des immenses demandes faites par les quatre nations sans explications détaillées et de l'incertitude de la possibilité de quelques concessions de notre côté, le Gouv.t Chinois pourrait tomber dans le desespoir et compromettre par une resistance prolongée quoique inéfficace dans ses resultats définitifs la position avantageuse dans laquelle se trouvent maintenant les Représentants des nations qui voudraient ouvrir la Chine.

Je vous prie, M. le Baron,

&c.

(Signé) C.te Pontéatine.

Dispatch 16. Enc. 6
May 6. 1858

(Copy.)

Letter to the Earl of Elgin and Kincardine. —

I have had the honour to receive your Lordship's letter of the 2d inst. with enclosures, and I offer you my thanks for it. If I dare to give my opinion I would now add that we could not expect fuller powers to be granted to a Chinese Plenipotentiary in the pressing difficulties to which China is now exposed, nor do I think that great inconveniencies may ensue from references to Pekin, which will not require more than four or five days for answers, though it would have been of immense consequence if negociations were conducted at Shanghai or at Canton. In my belief I consider that the Chinese Government has acceded to our last demands in sending a proper person for negociations to the appointed place and for the term fixed by us for his arrival.

I must apologize in making known my views on this subject, though they differ with those of your Lordship, but I thought it would be better to do so than not to disclose them.

With assurances, etc.

(Signed) Bt Pontatine.

Dispatch 16. Encl. 7
May 6. 1858

Legation of the United States
On Board the Antelope
Peiho River May 1. 1858.

The Undersigned (with titles) received yesterday Your Excellency's letter of the 29th informing him of your appointment as Imperial Commissioner in conjunction with Tsung and Hoo, and that you had arrived at Talien, and was desirous to have a time appointed for an interview, and the Undersigned having arrived within the bar of the Peiho, has received this morning a friendly enquiry by your Messenger, desiring that he should fix a time for an interview. This the Undersigned is, at this time, unable to do, being anxious to confer with their Excellencies, the Ministers of Great Britain and France before he designates further any time or place. As he has already informed the Imperial Authorities, there is in the course of policy now pursued, entire concord of feeling between the Ministers of the Four Powers, and the Undersigned thinks that any separate action on his part when there is an opportunity of consultation, might be regarded as an unfriendly act. He is in hourly expectation of the arrival of Lord Elgin and Baron Gros and will be ready on Monday at the latest (to morrow being a day of rest) to give a positive answer as to a time of meeting.

The

The Undersigned takes this occasion of expressing an earnest hope that if the place of reception be on shore, as he presumes it will be, that there shall be such accommodations provided as are becoming the hospitality of the Imperial Commissioner and the dignity of an interview between Representatives of high and equal rank of great Nations.

William B. Reed.

To His Excellency Tan
Imperial Commissioner, Governor General.

Dispatch 16. Enc 7
May 6. 1858

Legation of the United States
On Board the Antelope
Peiho River
May 1. 1858.

My Lord,

I have the honour to inform your Excellency that beside the request contained in the letter yesterday, received from the Imperial Commissioner, that I should designate a time for an interview, two Chinese Officers have to day been on board this ship and urgently repeated the request. I beg to enclose to Your Excellency a copy of the answer which I have sent to the letter and to the request.

I have the honour to be
My Lord,
Your Excellency's
Obedient humble Servant
William B. Reed

To His Excellency
The Earl of Elgin & Kincardine
H. B. M's. High Commissioner.

Dispatch 16. Copy.
May 6. 1858

Legation of the United States
On board the Antelope,
Peiho River. May 1. 1858

Monsieur le Baron,

I had the honour yesterday, just before leaving the "Minnesota" to receive your Excellency's letter of the 28th ult., with a copy of the communication of Tsung and Wu, with annotations. I beg to thank you for them.

About the same time, as your Excellency is probably aware, I received a communication from Tan, the newly appointed Imperial Commissioner, requesting that I should fix a time for an interview with him.— This morning I have received through two Chinese officers, an urgent message to the same effect.

I beg to enclose to your Excellency a copy of the answer which I have sent to the letter and to the request; and beg you anew to receive the assurance of my high consideration.

I have the honour to be
Monsieur le Baron
Your Excellency's humble Servant
William B. Reed.

His Excellency,
Baron Gros, High Commissioner & Ambassador &c &c.

Dispatch 16 - Enc. 1°
May 6. 1858

H. M. S. Furious

Gulf of Pechelee May 2. 1858

Sir

I have had the honour to receive by the hand of Count Poutiatine a copy of Your Excellency's letter to me of yesterday's date. The original has not yet reached me.

I beg now to enclose for your Excellency's information the copy of a correspondence which has passed between the Imperial Commissioner Yau and me. Judging from what has happened before in similar cases, and more particularly on the occasion of the visit of Sir John Bowring and the Hon: Mr. McLane to this place, 1854, I fear that the nomination of a Minister with Powers so limited as those held by Yau, does not argue on the part of the Government of the Emperor of China any intention to discuss seriously, and with a view to their final and satisfactory Settlement the questions brought under its consideration by the Representatives of the Great Powers.

Your Excellency will observe that

it

His Excellency

The Hon. W. Reed

&c &c &c

it is my intention to address a further communication to the Imperial Commissioner. As soon as it is prepared I shall have the honour to send a copy of it to you.

I have the honour to be

Sir,

Your Excellency's

most obedient Servant

Elgin & Kincardine.

Tan, Imperial Commissioner, Governor General of Chih-li, &c makes a communication.

I received Your Excellency's letter whilst on my Tour of military inspection, and having as in duty bound submitted for you to the Throne, your letter addressed to Yü, Chief Secretary of State, have had the honor to receive a Decree from His Majesty the Emperor commanding me to proceed as Imperial Commissioner to the Port of Taku, hand by, and there in concert with Tsung, director General of Granaries, &c., and Wú, under Secretary of the Cabinet, already appointed Commissioners, to meet Your Excellency, and enter upon negociations with him.

I have decided, upon due consideration, (1) that for the discussion and disposal of the questions contained in the letters of the different Govts, it will be best to receive [their Representatives] on separate days. It is my duty therefore to write to Your Excellency to choose the day on which you will meet me at the Port, and I hope that you will give me notice that I may be in readiness to receive you. a

(1) This may imply one's own resolve individually formed, or formed on consultation with others.

A necessary communication addressed to the Earl of Elgin &c.

Hien fung 8th year, 3d moon
16th day (29 April 1858)

Post scriptt. It is my duty to add that my copyist's unacquaintance with the forms of correspondence with Your Excellency's nation was the occasion of certain errors in my letter sent before. They have been corrected in this.

(Translated by) Thomas Wade
Chinese Secy.

Dispatch 16. Ex. 7
May 6. 1858

The Undersigned has the honour to acknowledge the receipt of a letter from Yaw Imperial Commissioner &c informing him that he has received the commands of H. M. the Emp. of China to meet the Undersigned at Taku and to enter upon negotiations with him.

In a letter addressed on the 10th of Feby last to the Chief Secretary of State Yu Ching to which as yet no answer has been received, the U. Sd expressly declared himself authorised by his Sovereign to discuss and determine various questions therein set forth in general terms.

The Impl Commissioner is now requested to inform the U. Sd explicitly and positively by letter this evening whether H. M. the Emp. of China has conferred on him corresponding Powers and such as render him competent to independent discussion and to the conclusion of negociations.

On the receipt of an answer in the affirmative the U. Sd will appoint to morrow for a conference with the Impl Commissioner but should the Impl Commissioner send no reply or should a reply sent by him declare that he has not the required authority, the U. Sd will regard his pacific overture for the appt of a duly qualified Officer as

Rejected

rejected by the Imp.l Govt.

A copy of the letter addressed by the W. Ld to the Chief Secy. of State on the 10th of Feby. is inclosed and the officer charged with the transmission of this is instructed to wait two hours for a reply.

April 30. 1858.

(Signed) Colqun & Kincardine.

Tsaw, Impl. Com^r, Govr Genl. of Chih-li &c,
make a communication.

I have to state that the Decree of H.M. which
I have had the hona to receive (1)

(1) Were this not an answer to the letter addressed,
I should have translated the passage simply
"I have had the honor to receive a Decree" &c.
The word rendered "Decree" is literally, the Will
or Pleasure of Majesty, but technically, the Placet
or Rescript, issued by the Emperor when announcing
an appointment made, or instructions given, on
receipt of information submitted to him -

detached me specially to Takw, there in concert with
the Impl. Com^rs. Tsung, Director Genl. of Granaries, and
Wu, under Secty. of the inner Cabinet, to receive the
Envoys of the different Gov^ts, to enter into negociations, to
report to the Throne, and request instructions as to the
steps to be taken.

Being now in receipt of a letter from
G. E. it is my duty at once to appoint the 18th inst.
(1st May) as the day on which I and my colleagues,
Tsung Director Genl. of Granaries, and Wu, under Secty
of the Inner Cabinet, will meet you (and learn) from
you in person the different matters you have to
discuss.

discuss. I write to inform you accordingly.

A necessary comm^n addressed to the Earl of Elgin &c &c.

Hien Fung, 8th year, 3d moon, 17th day.

30. April 1858.

Translated by

Thos. Wade

Chinese Secty

Dispatch No. Enl. 73

The Undersigned begs to acknowledge the Imp^l Com^rs letter of yesterday. As that letter contained no satisfactory answer to the question put by the Undersigned in his letter of the 30 ult: he did not meet the Commissioner as intended to-day.

The Imp^l Commissioner will presently hear more at length from the U. S^a

May 1. 1858

(Signed) Elgin & Kincardine

Dispatch 16 - Enc.
May 6. 1858

Mission Extraordinaire de France en Chine,
à bord de l'"Audacieuse",
le 2 mai, 1858.

Monsieur le Ministre,

J'ai l'honneur d'envoyer ci-joint à Votre Excellence une copie de la lettre que j'ai écrite au nouveau Commissaire Impérial Tan, pour qu'il voulut bien s'expliquer catégoriquement au sujet des pouvoirs dont il se dit revêtu, et Votre Excellence verra que la réponse que j'ai reçu n'est pas satisfaisante.

Je prépare en ce moment la dépêche que je compte faire parvenir au Gouverneur Tan, et j'aurai l'honneur d'en envoyer une copie à Votre Excellence dès qu'elle sera faite.

Je saisis cette occasion, Monsieur le Ministre, pour vous renouveler l'assurance de la haute considération avec laquelle j'ai l'honneur d'être,

de Votre Excellence,

le très humble et très obéissant serviteur

Bon Gros.

A Son Excellence Monsieur W. B. Reed,
Envoyé Extraordinaire et Ministre Plenip.^re des Etats Unis d'Amérique.
&c &c &c.

Dispatch 16 - Eg.te
May 6. 1858

(Copie.)

Tan au Baron Gros.

Tan, haut Commissaire Impérial, a l'honneur de dire à S. Ex. qu'il a reçu un décret Impérial qui lui donne l'ordre de se rendre à Takou, et là, de concert avec les Commissaires Impériaux Tsoung et Ou d'avoir une entrevue avec les Envoyés des diverses nations, afin de délibérer avec eux et d'en référer à la cour de Pékin pour avoir des instructions, et ayant reçu la dépêche que V. Ex. m'a adressée, il conviendrait de désigner un jour pour que nous puissions nous réunir afin de savoir sur quoi il faut traiter.

1 Mai, 1858.

Pour traduction exacte.
Bon Gros.

Dispatch 16- Ex. 58
May 6. 1858

(Copie.)

Le Baron Gros à Yan.

À Yan, &c &c

Le soussigné a reçu ce matin la dépêche que Son Excellence Yan, &c. &c. lui a fait l'honneur de lui écrire le 29 de ce mois, et il s'empresse de lui répondre.

Le soussigné sera très heureux d'aller promptement se réunir à Son Excellence, mais il désire auparavant avoir un renseignement que le noble Gouverneur peut lui donner. Le Premier Ministre, S. E. Yu, en ne répondant par aux lettres du soussigné, malgré les clauses du Traité qui lui en faisaient un devoir, l'a laissé dans une incertitude qui doit cesser.

Le soussigné est muni des pouvoirs nécessaires pour traiter toutes les questions qui existent entre la France et la Chine, et il aura l'honneur de remettre une copie de ces pleins pouvoirs à Son Excellence.

Le noble Gouverneur sait sans doute que les principales questions à résoudre sont: —

Les réparations que la France a demandées à l'ex-Commissaire Yé, et qu'elle n'a jamais pu obtenir.

L'ouverture des principaux ports de l'Empire au commerce étranger.

La liberté de conscience, et une protection efficace accordée aux cultes de la Chrétienté.

La residence des Ministres Plenipotentiaires de France a Péking.

La possibilité pour les Français de voyager dans l'Empire au moyen de passeports suffisans.

Les indemnités à donner à la France pour les frais des opérations contre Canton.

La faculté pour les Français d'acheter les denrées — directement dans le lieux de production ou de fabrique.

Une révision utile des tarifs, &c &c.

Le noble Gouverneur a-t-il les pouvoirs nécessaires pour traiter et résoudre ces questions avec le soussigné? Ce dernier a besoin de la savoir par une réponse catégorique, car si les pouvoirs du noble Gouverneur ne s'étendaient pas jusque là il serait inutile de perdre un temps précieux, et la position actuelle deviendrait encore plus grave qu'elle ne l'est.

Le soussigné prie donc le noble Gouverneur de vouloir bien lui répondre immédiatement et de lui faire connaître s'il est autorisé, oui ou non, à négocier et à résoudre les questions dont il s'agit.

Le soussigné désir vivement qu'une heureuse solution intervienne pour la bonheur de deux Empires dont les populations sont faites pour s'estimer réciproquement.

Le soussigné &c &c

30 Avril, 1858.

(Pour copie conformé)

Bon Gros.

Dispatch 16- Ex. Jr
6 May 1858

Mission Extraordinaire de France en Chine.

A bord de l'Audacieuse, le 2 Mai, 1858.

Monsieur le Ministre,

J'ai reçu la dépêche que Votre Excellence m'a fait l'honneur de m'écrire pour m'envoyer une copie de la réponse qu'Elle a faite, le 1er de ce mois, au Gouverneur Général Tan, qui lui avait demandé un rendez-vous, et je remercie Votre Excellence de cette communication.

Je m'empresse de lui faire connaître en même temps que j'ai simplement envoyé à ce haut dignitaire un accusé de réception de la dernière lettre qu'il m'a écrite et dont j'ai déjà fait parvenir une copie à Votre Excellence. J'espère pouvoir répondre au Gouverneur Tan dans la journée de demain.

Je n'ai pas besoin de dire à Votre Excellence que j'aurai l'honneur de lui faire parvenir le plus promptement possible une copie de la réponse que je prépare pour le nouveau Commissaire Impérial, et je pense inutile de dire à Votre Excellence que la dernière

A Son Excellence Monsieur W. B. Reed, Envoyé Extraordinaire et Ministre Plénipotentiaire des Etats Unis d'Amérique en Chine,

&c &c &c.

lettre que j'ai reçue de ce haut fonctionnaire me semble bien peu satisfaisante.

J'ai l'honneur d'être,

Monsieur le Ministre,

de Votre Excellence

le très dévoué serviteur.

Bon Gros.

Dispatch 16 - Enc. 8
May 6. 1858

Notes of an interview held at the Takoo forts May 3rd. 1858 between H. E. Mr Reed, U. S. Plenipotentiary, and the Imperial Chinese Commissioner Yan Tingxiang, with his colleagues Tsung and Mu (or the full names Tsunglun and Muguntai). Mr Reed was received at the door of the marquee by Yan and his colleagues, and conducted to a seat on his left hand, the other two Commissioners being seated outside of them both. Captain Du Pont was placed on the left hand of Tsung, and Mr Williams, Secretary of Legation, next to him, with an Overseer of the Transit last. Two Officers of rank, Tsien, the Provincial Treasurer, and the Colonel of the Forces in the encampment, sat on the right of Mu. The other gentlemen of the suite, who were seated in due order, were Major George H. Terrett, Marine Officer, and Mr Francis B. Blake, midshipman, of the "Minnesota", Lieutenant Roger N. Stembel, Surgeon John L. Fox, and Acting Master George Bacon of the "Mississippi", and Mr Bradley, U. S. Consul at Ningpo, and Messrs. W. Martin and Jenkins, Interpreters.

Mr Reed opened the conference by assuring the Commissioners of the good disposition of the United States

towards

towards China, and its desire to cultivate friendly relations with it.

Yan. By their commencing hostilities at Canton, the English have violated the principles of justice and propriety, but I am aware that the Americans took no part therein. I regard them with the strongest feelings of consideration and friendship.

Mr Reed. Is your friendship sufficient to induce you to enter on the negotiations relating to the revision of the Treaty with the United States?

Yan. It is. The Treaty signed at Wanghia with the United States was called a treaty of peace for ten thousand years; the Chinese Government has never broken it, but the English and French have violated their Treaty obligations in commencing hostilities at Canton.

Mr Reed. I did not come here to discuss the conduct of the English and French, but to consider certain modifications which require to be made in the Treaty with the United States and its revision, for there is grave and just cause for so doing.

Yan. Our great Emperor treats all nations with benignity, and having a special regard for the United States he will no doubt graciously receive

any

any proposition that is reasonable.

Mr Reed. The President of the United-States has appointed me to be his Minister Plenipotentiary in China to negotiate and sign a treaty with the Empire, and has given me credentials for that object. Have you any written evidence of your having similar full powers?

Yan. I am the Governor General of the prince of Chihli, and my jurisdiction extends over all its civil and military affairs.

Mr Reed. Have you powers to enable you to negotiate and sign a Treaty?

Yan. I am an Officer of the highest grade, and have equal powers with Kiying who negotiated your treaty at Canton, and I and my colleagues are deputed by the Emperor to meet you for this purpose.

Mr Reed. Are you empowered to sign a Treaty?

Yan. The rules of our country in this respect differ from those of your's, whose ministers are sent abroad to a great distance and for a long time, and are therefore allowed greater discretion and have powers given to them. We are within the limits of our own country and near the Court, to which we can

speedily

speedily refer any important questions for His Majesty's decision.

Mr Reed. If you cannot sign, can you negotiate a treaty?

Tan. I can, and will be pleased if the points to be considered can all be reduced to writing so that they can be carefully examined.

Mr Reed. Will it be necessary to refer each article to Peking, or only the Treaty as a whole, for if the former mode be required, I shall decline to commence negotiations.

Tan and colleagues. Only the whole, for too much time would be consumed by separate references. Have you prepared the points of discussion?

Mr Reed. It is inexpedient to enter upon the discussion of them this afternoon, as there is not time, but at as early a day as may be convenient to both parties; and before I leave I will place a summary of them in your hands. Previous to doing so, however, I wish to inquire whether my letter sent to the Prime Minister Yu from Canton ever reached him?

Tan. If you refer to the letter written in the twelfth Chinese month, it was received, and presented

to

to His Majesty; and afterwards given to Hwang when he was appointed Commissioner to proceed to Canton.

Mr Reed. That cannot be, for Hwang must have left the capital before that letter was received there.

Tan. Hwang had it when he was sent to Canton, or at least got it before he reached that city.

Mr Reed. Can a copy of it be procured from Peking and produced, and how long will it take to receive it?

Tan. It can and I will procure a copy.

Mr Reed. I have also here an important document, a letter from the President of the United States to His Majesty the Emperor of China.

Tan. When will the letter be brought and what does it contain?

Mr Reed. It contains good wishes and expressions of ~~good wishes~~ friendship from our Chief Magistrate. Here is the original (showing the address.)

Tan. I am unable to read the letters of your honorable Country, but there are men in the Colonial office at Peking who are acquainted with

with foreign languages. Was it written by the Prince of your country? (Mr Martin, the Interpreter, here requested the Commissioner not to call our chief Magistrate "Prince", but "President", which is his proper title)

Tan. It is a foreign title to which I am not accustomed. (Mr Martin: "Then call him "Hewangti," Emperor, as we do your Sovereign ... for the United States is not inferior to China". This he did during the remainder of the interview.)

Mr Reed. It bears the autograph signature of the President.

Tan. May I see a Translation of it? (It was then shown to the three Commissioners, who perused it and said at the same time, "We can send it, we can send it")

Mr Reed. I have to complain of a grave offence on the part of the Chinese Government. Here is a letter from the President to the Emperor sent from the United-States, and placed by my predecessor in the hands of Wang, the Governor-General at Tschaou, to be transmitted to Peking. It was afterwards returned unanswered, and in this condition (showing the mutilated seal).

This

This was an insult to my country and should it at any time be repeated, it certainly would create enmity between the United-States and China.

Tan. That is a bygone affair of which I have no knowledge, but I can assure you that in the present case, the letters will not be treated with disrespect.

Mr Reed. What guarantee shall I have that it reaches the hands of his Majesty?

Tan. An acknowledgment from the Colonial Office.

Mr Reed. But I desire something from the Vermilion pencil — from the Emperor himself addressing the President of the United-States in terms of equality.

Tan. All correspondence with Foreign States is referred to that office.

Tsung. The addition of the Imperial placet with the vermilion pencil to a document from that office, so far from being a token of equality, would on the contrary indicate the inferiority of the party addressed. (Mr Martin here remarked that Tsi-fan-Yuen, the term used for Colonial Office, signifies the office for controlling the foreign dependencies of China.)

Mr

Mr Reed. I will have nothing from that office— nothing but from the Emperor himself— Will His Majesty answer the Presidents letter in his own name and in terms of equality?

Tsan. I can send a memorial to morrow and ascertain the Imperial will on that head — In the meantime you will perhaps place in our hands a summary of the points of the treaty which require discussion.

Mr Reed. No! Not until you have both obtained from Peking a copy of my letters to the Prime Minister, and also ascertained whether the Emperor will answer the President's letter.

Tsan. The Imperial rescript and the letters will both be here within five days or less.

Mr Reed. I regret the difficulties with Great Britain and France and the Russian Minister and myself are ready to use our good offices to bring about a better understanding.

Tsan. We highly appreciate your kind intentions and indeed it was out of regard for you, the neutral Powers, that we refrained from firing on the English and French vessels when they entered the rivers and took up a position in front of

our

our batteries. We shall be glad to have the ——
Plenipotentiaries of both countries act as mediators
in the pending difficulties.

Mr Reed. I am well acquainted with the —
Plenipotentiaries of both England and France,
and I know them both to be good and upright
men.

Tan. The British Minister, was not, I am aware,
concerned in commencing the strife at Canton, and
indeed he is hardly to be blamed for his course.
Our Emperor treats all nations with kindness
but when wantonly attacked, he cannot but
change countenance towards them. Nevertheless
out of regard for you, the neutral Powers, he
is willing to hear what the English and French
have to say.

Mr Reed. Would it be agreeable to you for the
Russian Minister and myself to meet you in
joint conference?

Tan. I shall be happy to meet you either
separately or together as may suit your
convenience.

Mr Reed. Which do you prefer, that we should
come single or both together.

Tan

Tan & colleagues. To meet both at once would be a saving of time.

Mr Reed. As you have expressed orally a wish for the mediations of the United States and Russia, it is necessary that we should have that request committed to writing in a formal communication.

Tan. I shall to morrow address a communication to that effect to the Plenipotentiaries of both Nations.

Mr Reed. It must be expressed to be altogether spontaneous and contain no allusion to any proposition made by me.

Tan and colleagues. (Smiling that they should be thought to need any prompting on that score) It will be entirely voluntary on our part and due care will be taken not to implicate you.

Mr Reed When the Imperial reseript and a copy of my despatch from Canton are received I shall be ready to meet Your Excellencies again and to enter on negociations for the modification of our Treaty.

Tan. The desired documents will be here in five days or less time when we can begin the consideration of the Treaty. Your country

has

has always been on good terms with China. It is the wish of His Majesty that those relations of friendship may be perpetual and whatever may conduce to your advantage without implying injury to us, His Majesty will certainly not refuse to concede. To morrow I shall attend to three things 1st to Memorialize His Majesty with respect to the letter of your Emperor — 2nd to apply for a copy of Your Excellency's letter to the Prime Minister, and 3rd address a Communication to Your Excellency and the Russian Minister on the subject of Mediation.

Mr Reed. I am willing to use all my influence in the way of conciliation but I cannot guarantee success (the Interpreter added by way of explanation, as the Chinese proverb says, "To devise is with man, to accomplish with Heaven")

Tan. I feel assured of that. We regard Heaven in all we do, and would not dare to say what is false.

Mr Reed. here remarked that it was growing late and prepared to take leave. The High Commissioner accompanied His Excellency to the outside of the tenth door and the two

two Assistant Commissioners requested that their compliments and good wishes should be communicated to Mr Reed, at the same time expressing their regret that they were unable to address him in his own language.

Dispatch 16. Ex. 9a
May 6. 1858

No 7

Legation of the United States
On Board the Minnesota
May 4th 1858

My Lord,

I had the honour on the evening of the 2d inst: to receive your communication dated on that day with its enclosures. On the afternoon of the 1st my letter of that date was put on board Her Majesty's Ship Nimrod to be forwarded to Your Excellency and the copy which Count Poutiatine Kindly exhibited was one which I had furnished him in the ordinary course of our friendly correspondence.

To some extent your Excellency's letter of the 2d inst. relieved me from the painful state of uncertainty as to your views and those of Baron Gros, in which I had been since the despatches demanding the appointment of an Imperial Commissioner. In the course then suggested, I gladly acquiesced, as I have done in every other which has been intimated, though I am bound in candour to say that it occurred to me at the time that the limitation of six days was rather a strict one. Still, having the greatest confidence in your Excellency's

peaceful

To His Excellency
The Earl of Elgin & Kincardine
H. B. M's High Commissioner

peaceful intentions and your desire to give to the Chinese every chance of friendly negociation; and no opinion being asked of me, I gave none and did exactly what you did.

In my note of the 24th April to the Prime Minister at the Capital, (a copy of which is in your Excellency's hands) I said: "If, on or before the last day of this month, such a Plenipotentiary shall present himself at or near Takoo, where the undersigned means to be, there will yet be room for peaceful preliminary negociation". On the 28th, Yan, the Governor General, sent me a communication which on account of an informality in the address was returned. On the 30th I received, in due form, a letter from Yan, announcing his appointment in conjunction with two other Envoys "to meet and deliberate concerning matters" mentioned in my previous letters. The tone of the communication was perfectly courteous and respectful. I have the honour to enclose a copy of it. I should have done so sooner had I not, at the time, had every reason to suppose letters of a similar tenour were simultaneously received by the other Plenipotentiaries.

In my judgment, the course for me to pursue was perfectly clear, and I did what, in my letter of the 24th April, I said I should do. I entered the river on the 30th and remained as near Takoo as the position of the English and French ships at anchor permitted me to

do.

do. I took for granted, - tho' in this it seems I was mistaken, - that on the same, or the next day, I should have had the pleasure of seeing Your Excellency and Baron Gros. I beg to assure you, - and I am sure you will appreciate the sincere friendliness of the remark - that my disappointment in this respect, when there seemed to me a ray of hope that peaceful negociations might begin, was very keen. What occurred immediately after my arrival within the River, Your Excellency knows from the letter to Jan, which I had the honour of forwarding on the 1st inst. I beg to repeat a single passage from this note as expressing as strongly & as earnestly as I could, my deference to your views and those of Baron Gros, and my desire for unreserved confidence.

"This [the fixing of a day] the undersigned is at this time unable to do, being anxious to confer with their Excellencies the Ministers of Great Britain and France before he designates further any time or place. As he has already informed the Imperial Authorities, there is in the course of policy now pursued, entire concord of feeling between the Ministers of the Four Powers, and the undersigned thinks that any separate action on his part when there is an opportunity of consultation, might be regarded as an unfriendly act. He is in hourly expectation of the arrival of Lord Elgin and Baron Gros and will be ready on Monday at the latest

(4

(to morrow being a day of rest,) to give a positive answer as to a time of meeting"

On that evening, I received Your Excellency's note informing me that you considered the communications of the Imperial Commissioner unsatisfactory, and that you had determined not to meet him for any purpose unless he should categorically, and in writing, state that he held, what in the language of other nations are known as, full Powers.

This information, whilst, as I have said, it relieved me from all uncertainty as to Your Excellency's intentions, left me at liberty to pursue the course my own judgment dictated. I regret that my having said to the Chinese who expressed so earnest and friendly a desire that I should meet their high officers, that I should give an answer on Monday at latest, as well as my own convictions of duty, prevented me from waiting longer for ~~any~~ the further communication, which you Excellency informed me, you meant to send to the Chinese Authorities. As to what under the circumstances I ought, and my Government would expect me to do, I had no doubt whatever. Peace is too important to the relations subsisting between China and the United States to be imperilled by my adherence, in a preliminary correspondence, to the strict rules of Western diplomacy and I was content to run the risk of ultimate

or

in preliminary failure on a point which, according to circumstances, might become either substantial or merely technical.

Accordingly, I landed yesterday near the Taikoo forts and had a long and interesting interview with their Excellencies, the Imperial Commissioners, the result of which is a clear conviction on my part, that it is at present inexpedient to insist on the production of full powers in writing, but that the High Commissioner is clothed with ample authority to negociate, and that the only reference to the Capital that he needs or will make is not of each proposition separately, but of the whole treaty or other form of negociation, after it is completed. This is so nearly assimilated to a reference for ratification that I am willing to agree to it, and have announced to the High Commissioner my intention to begin negociations with him, or at least to submit the points of negociation for his consideration and our consultation, so soon as he exhibits to me the originals or copies of my correspondence of February last, which he asserts are in the proper department at the Capital, and also gives me a direct assurance that the letter of the President to the Emperor shall be received and acknowledged on terms of equality. This His Excellency promises me, and five days from yesterday have been agreed to for this purpose. It is my hope then to meet the Commissioner again.

Obvious considerations of propriety operated

to

to prevent me from encouraging any references to the matters of difference between China, and Great Britain and France. They were frequently introduced but always and positively discouraged by me. Towards the close of the conference, I felt it to be my duty to try so far to improve the friendly feeling expressed to the United States as, of my own accord, to say a single word on this delicate subject. I ventured to give an earnest warning against any thing like a contumacious refusal to accede to what I — understood to be the demands of Great Britain and France, and a hope that they would share with me the confidence I had in Your Excellency's moderation and kind feeling towards the Chinese. The reply of the Commissioner was very earnest and precise, and, as far as one can judge the words or acts of this peculiar people, cordial, that he believed that your Excellency entertained the opinions I attributed to you and to use his very words - that he knew that you were not at Canton when the troubles began, and had nothing to do with them. Beyond this I did not feel at liberty to go, or to permit the subject of your relations to be talked of.

I have thus unreservedly laid before Your Excellency all that has transpired since I last had the honour of addressing you, and in conclusion venture to express the earnest hope that all chances of peaceful — adjustment are not at an end. I am quite aware how

little

little confidence is to be placed in the assurances & professions of Chinese officials, but so anxious am I for peace and a bloodless settlement of difficulties - so fearful of a renewal of such a state of things, as without any agency on the part of Your Excellency, has occurred in the South of China, that I feel I should not discharge my duty by seeing hostilities begin in the North without an effort to avert them.

I have the honour to be
My Lord,
Your Excellency's
Obedient Servant,
William B. Reed.

Dispatch 16. Ep. 9[b]
May 6. 1858

H. M. S. Furious

Gulf of Pechelee. May 5th. 1858

Sir,

I have had the honour to receive Your Excellency's letter of the 4th Inst, and I beg to thank you for the very full statement which it contains of the views entertained and of the proceedings adopted by you at this conjuncture.

I must beg to remind Your Excellency that in my letter to "Yu" of the 11th February of which a copy was transmitted to Your Excellency in my Despatch to you of the 4th of that month, from the terms of which, except in respect of the concession of further delay, I have not departed in any of my subsequent communications to the Court of Peking, I used the following language "If, on "the contrary, no Plenipotentiary so accredited "shall present himself at Shanghai before the "end of the month of March, or if any Plenipotentiary "so presenting himself shall be found to have

To His Excellency
The Honble W. B. Reed

"have insufficient Powers, or if, having the requisite
"Powers, he shall prove himself unwilling to accede to
"reasonable terms of accomodation, the Undersigned
"hereby reserves to himself the right of having recourse
"without further announcement, delay or Declaration
"of hostilities to such measures, in vindication of the
"claims of his country on China as in his judgment
"it may appear advisable to adopt.

I can assure Your Excellency that I am as desirous now as I have ever been to arrive at a settlement of the differences existing between Great Britain and China without further Bloodshed, and that I would be most willing to give up any point of form, in order to obtain this consummation; but I fear that in departing on a fundamental principle from a condition laid down in terms so precise, I should only lead the Chinese Government into error as to the determination of Great Britain to assert her claims upon that Government, and thus become the means of ultimately bringing down upon it great calamities.

Your Excellency will permit me to observe that not having received from "Yu" any reply to the letters which I have addressed to him, I

I have addressed to him, I have no evidence, beyond that which Tan's Powers furnish, of the view taken by the Imperial Government of the demands which I have preferred on behalf of Great Britain and when I ask Tan to inform me of the extent of those Powers, he answers in effect that he is only authorized to engage in discussions with me, and report on the same to his own Government for Instructions, a proceeding which manifestly does not bind the latter to anything.

The Court of Peking declines to permit the Representatives of foreign States to communicate directly with the Ministers of the Empire at the Capital. The Minister "Yu" has lately reasserted this principle in the most offensive form by declining to answer the letters addressed to him by the Representatives of the Great Powers from Canton and Shanghai. But at the same time while it puts forward this pretension, it informs us that the customs of the Empire preclude it from delegating to any diplomatic Functionary authority similar to that which is known in Western Diplomacy by the term "Full Powers."

I ask Your Excellency in all earnestness, is it possible that international relations can

can subsist under such a system?

Nevertheless with the view both of reconciling, in so far as it is possible to do so, the courses which I feel it my duty to follow with that of Your Excellency and also of giving to the Court of Peking another proof of the conciliatory disposition with which I am animated, I have resolved with Baron Gros' concurrence to enter into negotiation with "Yan" if he can procure, from the Emperor of China, Powers identical with those which the late Emperor gave to Kiying when he negotiated with Sir H. Pottinger in 1842. I enclose the copy of the note in which I have informed "Yan" that I will grant him a delay of six days to enable him to procure the Powers in question.

I have the honour to be

Sir,

Your Excellency's

most obedient

humble Servant

(Signed) Elgin & Kincardine.

Dispatch 16 - Eqh q^e
May 6. 1858

Copy.

Note to Yan. May 6. 1858.

The Undersigned has already apprized the Imperial Commissioner Yan that the letter addressed by him to the Undersigned on the 30th of April was entirely unsatisfactory. Holding as he does from Her Majesty the Queen of Gt. Britain, Plenipotentiary Powers, he cannot consent to treat with a Representative of the Emperor of China who is only authorized "to enter on negotiations, to report to the Throne "and to request Instructions as to the course he is "to pursue."

The Undersigned finds on consulting the records that when His late Majesty appointed Keying and Hi-pu Hi-fo-ci his Commissioners for the settlement of pending questions with H.B. Majesty's Plenipotentiary Sir H. Pottinger, the Powers conferred on the High Officers were fully set forth in a confidential Decree bearing date July 27. 1842, a copy of which is enclosed.

The U. I^d has now to intimate to the Impl Commissioner that he has determined on according a delay of six days from the date of this letter in

in order to enable him to obtain Powers similar to those granted to Kiying and Hi-pu.

The U. S. Ld. has only to express his sincere hope that this additional evidence of his desire to avert the evil which persistance in an evasive Policy cannot fail, sooner or later, to entail upon China, may be duly appreciated by the Imperial Govt.

(Signed) Elgin & Kincardine.

Dispatch 16. Encl. 2
May 6. 1858

Mission Extraordinaire de France en Chine,
à bord de l'"Audacieuse", devant la Pei-ho,
le 5 mai, 1858.

Monsieur le Ministre.

J'ai reçu la lettre que Votre Excellence m'a fait l'honneur de m'écrire le 4 de ce mois et, en attendant que je puisse y répondre, je m'empresse d'envoyer à Votre Excellence une copie de la note que je ferai parvenir demain matin au Commissaire Impérial Tan.

Je crois devoir faire encore une nouvelle tentative conciliante auprès du Gouvernement Chinois et je désir vivement qu'elle puisse être appréciée à sa juste valeur.

J'ai l'honneur d'être,
Monsieur le Ministre,
de Votre Excellence,
le très humble et très obeissant Serviteur
Bon Gros.

À Son Excellence Monsieur W. B. Reed,
Envoyé Extraordinaire et Ministre Plénipotentiaire
des Etats Unis d'Amérique en Chine,
&c &c &c.

Dispatch 16. Eg. 9e
May 6. 1858

(Copie.)

Note à Tan.

à bord de l'Audacieuse,
le 5 Mai, 1858.

À Tan, Vre Exce.

Le soussigné, Vre Exce a reçu la dépêche que Son Exce Vre Exce lui a fait l'honneur de lui écrire en réponse à celle que le soussigné lui avait adressée le 30 Avril dernier pour lui demander de vouloir bien lui faire connaître s'il était muni des pleins pouvoirs necessaires pour entrer en négociations avec lui.

Cette réponse, peu satisfaisante ne permet pas au soussigné de demander encore une entrevue au noble Gouvrr puisque, muni de pleins pouvoirs de Son Souverain qui l'autorisent à traiter et à résoudre toutes les questions pendantes entre les deux Empires, il se trouverait en présence du noble Gouverneur qui de son côté n'aurait de pouvoirs que pour écouter ce que le soussigné lui dirait et pour transmettre ses paroles à Pékin.

Le soussigné pense donc que Son Excellence pourrait et devrait écrire immédiatement à Pékin pour demander des pouvoirs semblables à ceux que l'Empereur Tao-kouang avait donnés au Commissaires Impériaux Ky-ing et I-li-pou, en 1842 et en 1844, pouvoirs sans lesquels il est impossible d'entrer en négociation. Six jours, à dater d'aujourd'hui sont plus que suffisans pour obtenir

une réponse de Pékin, et si, avant l'expiration de ce terme le soussigné n'avait pas reçu l'avis que ces pleins-pouvoirs sont arrivés, il se verrait obligé, bien à regret, de suspendre l'action diplomatique et de remettre les affaires entre les mains de l'amiral français.

Le soussigné ne doute pas que le noble Commissaire Impérial ne voie dans ce nouveau délai accordé au Gouvernement Chinois une preuve de plus de son esprit de conciliation et du désir sincère qu'il éprouve de faire cesser un état de choses contraire aux intérêts des deux Empires.

Le soussigné, &c &c

Pour copie conforme

Bon Gros.

Dispatch 16. Ex 10
6 May 1858

Minnesota May 6th 1858.

My Lord,

I thank your Excellency for the information contained in your letter of yesterday and sincerely trust that within the further time allowed to the Imperial Commissioner and his colleagues, such concessions may be made, as to secure, what I am confident you desire as earnestly as I do, a peaceful adjustment of pending difficulties

Should I, as is probable, in the interval have further personal intercourse with the Chinese Authorities, I shall continue if agreeable to Your Excellency, that unreserve towards you which is most congenial to my own feelings, and so long as the present State of things continues, completely in accordance with my instructions.

I have the honour to be

My Lord,

Your Excellency's

Obedient Servant.

William B. Reed.

To His Excellency

The Earl of Elgin & Kincardine

&c &c &c

Same to Baron Gros.

Dispatch 16. Encl. 10
May 6. 1858

H. M. S. "Furious", Gulf of Pechili.

May 7th. 1858

Sir,

I have had the honor to receive Your Excellency's letter of yesterday's date, and beg to thank you for your offer to supply me with information respecting anything which you may learn in personal intercourse with the Chinese authorities.

I have the honor to be

Sir,

Your Excellency's Most Obedient Servt.

Elgin & Kincardine

His Excellency

The Honorable W. B. Reed

&c &c

Dispatch 16 - Exh. 11a
May 6. 1858

St. America, in the river Peiho

May 5th 1858

Sir,

It is with great satisfaction I read your letter to Lord Elgin, which you did me the honor to communicate, and feel most grateful for the support your Excellency gave by it to the notes I have addressed on the same subject to Lord Elgin and Baron Gros. I have no doubt it is the noble attitude maintained by you towards the Representatives of France and England, as well as the friendly understanding that exists between us, which have been the principal cause of the withdrawal of the order for recommencing hostilities by the Western Powers. I do not now despair that further bloodshed might be stopped, and that, by God's blessing, the attempts to settle by peaceful means the difficult affairs between China and the four Powers may be brought to a successful end. It will be my duty to inform the Imperial Cabinet that your cordial coöperation has given weight to my representations, and has arrested, at least for the moment, the application of violent measures contemplated by England and France.

I

His Excellency the Honble W B Reed

Minister Plenipotentiary &c &c

I have seen to-day a Chinese official, who came to explain the meaning of some phrases in the letters addressed yesterday to us by the Chinese Commissioner Yan. His interpretation was, that if we undertook to arrange the differences pending now between them and the Allies, Yan will then endeavor to settle to our satisfaction the affairs that properly concern us. I did not consent to this proposition, but replied that, conforming to the instructions of my Government, I made, before getting this application, exertions, as far as it was feasible, to prevent collision between China and the Western Powers. I have prepared a short letter to this effect in answer to the abovementioned communication, and before making my mind to send it to the Commissioner Yan, inclose it now for your Excellency's consideration.

With assurances of high consideration and great esteem, I have the honor to be,

Your Excellency's most humble Servant

C. Poutiatine

Disp. 16. 11a

Str America, May 6th 1858

My dear Sir,

I informed you yesterday that I should write to Yan, and having received the communications of Lord Elgin and Bon Gros sent today to the Chinese Plenipotentiary, I wrote in consequence and forward you the copies of my letters to Lord Elgin and Yan; that to Baron Gros being much the same as Lord Elgin's

Yours, my dear Sir, sincerely Yrs

C. Poutiatine

The Hon. W. B. Reed

Dispatch 16 - Enc. 11
May 6. 1858

Traduction du Russe

Note au Commissaire Yan et à ses collegues.

La Plénipotentiaire de Russie a reçu des Plénipotentiaires de France et d'Angleterre une communication, dans laquelle il est dit, qu'un délai de six jours est accordé au commissaire Yan pour demander à la cour de Pékin des pleinpouvoirs semblables à ceux que l'Empereur Tao-kwang avoit donnés aux commissaires Impériaux Kiying et Iliipu en 1842 et 1844, en les envoyant dans le Sud pour négocier avec les Plénipotentiaires d'Angleterre et de France. Le Soussigné prie le Commissaire Yan et ses collègues de s'addresser immédiament à son Gouvernement et solliciter l'envoi à Ta-kou et dans le délai fixé, de pleinpouvoirs ecrits exactement dans les termes que leur ont désignés les Représentants des Puissances alliées. Le Plénipotentiaire de Russie croît devoir engagé le Commissaire Yan à prendre cette demande en sérieuse considération, et le prévenir qu'en satisfaisant à elle, le Gouvernement Chinois évitera les hostilités, qui dans le cas contraire, pourraient s'en suivre

Le Soussigné saisit cette occasion, &c &c

à bord du vapeur America, le 6 Mai, 1858

(Signé) Comte Poutiatine

Dispatch 16 - Eph. N^c
6 May 1858

Copy of a letter to Lord Elgin

I am much indebted to your Lordship for the last communication you did me the favor to address. In allowing time to reconsider at Pekin the present intimation, your Lordship has shown great unwillingness to employ violent measures; and no one can deny the propriety to insist on producing credentials of the same form by Commissioner Yaw, as have once been given by the Court of Pekin to a Chinese Plenipotentiary. I am aware that without firmness and threats, there is no possibility to arrive at a satisfactory result in dealing with the Chinese Government; but perhaps those means will succeed as well, or even better than hostile operations.

I am sending to the same effect a short note to Commissioner Yaw, thinking that by doing so, I am acting agreeably to your Lordship's intentions

(Signed) C Poutiatine

May 6. 1858

Dispatch 16. Encl. 11
May 6. 1858

"Minnesota". May 5th. 1858

My Dear Sir,

I have this moment received the enclosed letter from Lord Elgin, which I send for your perusal and which I beg you to return by the bearer, who will return early to morrow or some time to night. I have no time to make copies. The despatch to Yeh is dated to-morrow and will then go in. I think it all important that the Chinese should give the powers now demanded. As soon as the "Blaney" comes in, you may infer the despatch has arrived. Can you not see Yeh and impress this upon him? Nothing else will avert hostilities, and six days hence the gun boats will be here. No one of course knows of my sending this intelligence to you, but my anxiety to avert hostilities will justify this seemingly irregular course — I am glad to find our resolute attitude is at last making its impression

Very Truly Yrs
William B. Reed

His Excellency
The Count Poutiatine
Imperial Commissioner & Commander in Chief

&c &c &c

Tan, the Governor-general of Chihli; Tsung, the Superintendent of Granaries; and Wu, Under-secretary of the Privy Council, hereby send a communication.

We were very highly gratified with the interview we had yesterday with your Excellency. You have come here simultaneously with the English and French. We are desirous to have a meeting with you, that you may then talk reason with [the envoys of] those two nations on our behalf respecting their affairs. Then most probably the other matters [between ourselves] can be settled (or prepared) for negotiating.

For this purpose we now send this communication.

To His Excellency Mr. B. Reed
Envoy Extraordinary and Minister Plenipotentiary
of the United States to China

May 4th 1858

Dispatch 16. Encl. 12
May 6. 1858

"Minnesota", May 6th 1858

My dear Sir

I have concluded to answer Tan's letter asking mediation, and send you a copy of what I have sent. The answer goes by this conveyance, or it can wait till yours is ready, whichever you think best. Lord Elgin and Baron Gros' letter went in this morning. My boat will come out in the morning

Truly Yours
in haste
W B Reed

Count Poutiatine

Dispatch 16. Exh. 12
May 6. 1858

10

Legation of the United States.

U. S. S. Minnesota

May 6th 1858

The Undersigned has the honor to acknowledge the communication made on the 4th inst. by the High Commissioner Yan and his colleagues, requesting him to mediate between China and the allied powers of England and France, in the difficulties that have arisen between them.

The Undersigned is doing all in his power to arrest further hostilities, but he frankly says to the Imperial Commissioners that his efforts will be fruitless unless the preliminary demands of the English and French ministers are met and acceded to in a proper spirit. They have now (as the Undersigned understands) made a new and most reasonable request that your Excellency shall, within six days, be furnished with and prepared to exhibit similar powers, as by a confidential Decree of July 27th 1842, were conferred on Kiying and Iliipu for the settlement of difficulties then pending. The Undersigned earnestly hopes this may be done, and then there will be a chance for good offices and amicable settlement.

The Undersigned expects the same

powers

powers to be exhibited to him, as well as the other papers promised by His Excellency Tan, and expects further that matters of negotiation with the United States shall proceed promptly.

William B. Reed

To H. E. Tan, Imperial Commissioner, Governor general of Chihli, with his colleagues Tsung and Wu.

Dispatch 16. Encl. 13
May 6. 1858

Flag-Ship "San Jacinto",
Off Shanghai, April 2d. 1858.

Sir.

I have the honour to acknowledge the receipt of your communication of the 29th ult. and am glad to learn that my order to Captain Dupont to wear the American ensign at the main of the "Minnesota" is satisfactory to you in all its bearings.

I regret that the reply of the Chinese Imperial Court to your friendly communication is such as to call for the presence of the squadron at the mouth of the Peiho, with a view to further operations.

Should you have occasion to land at Tientsin and go from thence to the interior, I will, with great pleasure, afford you all the aid in my power.

The "Minnesota" is under the necessity of unshipping and reconstructing her rudder, which is very defective, and has been condemned by a board of survey. This, I fear, may detain her three weeks or a month.

The "Mississippi" is expected from Hongkong daily. The "San Jacinto" and that ship shall be got ready for sea immediately; and you may, I think, calculate on their services by the 12th inst., - the time specified by you.

To His Excellency
Wm. B. Reed, &c. &c.

The disposition of the Squadron, when the climate shall cause a suspension of operations on the coast of China, depends on so many contingencies that I can arrive at no conclusion in regard to it, at present. The "Minnesota" and "Antelope" shall be placed under your direct control, to remain with you within the limits of your Mission, or to convey you, with a view to health, to Japan, or any other neighbouring point that may better suit your convenience.

During the suspension of operations on the coast of China I think it advisable to Employ the other ships in the accomplishment of such other objects Embraced in my instructions as may not interfere with their concentration on the coast of China, at such point and at such time as you may designate.

I have the honour to be,

Sir,

Your Obt St.

Josiah Tattnall,

Flag-Officer Commg in Chief.

Dispatch 16. Ex. 12
6 May 1858

Legation of the United States
'Minnesota' April 29. 1858

Sir,

In the absence of the Commander in Chief of the United States Naval forces, I have the honour to inform you, as the Senior officer, what my plans are for putting myself in communication with the Chinese Authorities. I have received from His Excellency Tan Governor General and Imperial Commissioner, an intimation, which will no doubt be put into more regular form in the course of to day, that he will meet me on shore to morrow at or near Taikoo, at such time as it may suit my convenience.

It is my intention therefore to go in the chartered Steamer Antelope, as far as her draught of water will permit. I have requested Captain Dupont to accompany me together with Major Jarrett and Mr. Blake of this ship and if agreeable to you, I shall be very glad to have the company of Lieutenant Stembel and Surgeon Fox of the Mississippi.

Any other facilities you may think important to me, I shall be glad to have, though none occur to me at this time.

I

To

Captain William B. Nicholson
U.S. Ship Mississippi.

I avail myself of this opportunity to express to you and to your officers my sincere gratitude for your unvarying and considerate kindness to me during my sojourn on the Mississippi.

I have the honour to be

Sir,

Your obedient Servant.

William B. Reed.

Dispatch 16. Exh. B
May 6. 1858

W.S. Steam frigate Mississippi
Anchorage off Peiho River
April 29th 1858

Sir,

I have the honour to acknowledge the receipt of yours of this date, informing me of your plans for — communicating with the Chinese Authorities on Shore, and I am much gratified with your expression of satisfaction of my Ship and Officers.

Any wish of yours will be a command to me.

I am, Sir, very respectfully
Your obt. Servt.
W. B. Nicholson
Captain

H. B. Wm B. Reed.

Rec'd Aug. 10. Mr. Derrick

Official No. 17.

Legation of the United States
On Board the "Minnesota"
Off the Peiho River May 15th 1858

Sir,

Whatever may be the result of the pending preliminary operations here, I am very anxious that the course which I have felt it my duty to pursue, - involving a difference of opinion with the Plenipotentiaries of England and France - should be perfectly understood by the President. Being understood, I have the strongest confidence it will be approved.

The question has been this: the English and French Plenipotentiaries insist that having demanded the appointment of an Imperial Commissioner with full powers, they have a right to exact in advance, before they meet him, an exhibition of those powers. There was nothing, it will be observed, in the first letter of the Imperial Commissioner Tan, to Lord Elgin and me, to exclude the idea of his having full powers, and it was only on a sort of cross-examining correspondence which ensued that he in a certain

Hon: Lewis Cass
Secretary of State
Washington

certain sense disclaimed them. I attached great importance to personal intercourse, such as I asked last fall from Yeh, at Canton, and was and am of opinion that a moderate concession of a preliminary form, where no principle is involved, could do no substantial harm. I had, too every reason to believe that the personal intercourse of the Plenipotentiaries with the Chinese authorities would have promoted early and peaceful negociations. They have thought differently, and the effect seems to have been that whatever thus far has been accomplished in the way of conciliation and concession has been done by Count Poutiatine and myself, and that the moderately kind feeling which, as I stated in my last despatch, the Imperial Commissioners expressed towards Lord Elgin, has given place to a vague dread of him as some mysterious enemy who keeps aloof for purposes of evil.

My last despatch explained more in detail the motives which influenced me to waive the preliminary scruple and meet the Commissioner on the 3d. From him I learned that his powers enabled him to arrange at least the basis of a Treaty, and then refer it in the aggregate to the Capital. These certainly were not "full powers" in a technical sense; but the reference to Peking of a Treaty after conference and negociation - not signed by either party (for I certainly did not mean to sign unless the Chinese Plenipotentiary did,) but agreed to, was a process

which

which I described in my note to Lord Elgin of the 11th of May, as so assimilated to a ratification as to reconcile me to the experiment of a meeting. On this theory I felt myself entirely justified in acting. I was content, as every one must be in dealing with these Orientals, to take the risk of their not telling the truth.

In an interview which I subsequently had on board this ship with his Lordship, I found that we were reasoning from entirely different premises. He had adopted the doctrines of European public law which — make the full Powers of a Minister evidence of an ability to bind the Sovereign; nor did he seem willing to — comprehend the distinction which my American training enabled me to take between such full Powers and those, for instance, which I had - their exercise subject to ratification by the President or Senate - or those which the Chinese — claimed to have, of negociating and then submitting their acts in the aggregate for the Sovereign Revision. I do not of course mean to say that there is more than an assimilation; but that assimilation is reasonable, if there be, as is alleged by those familiar with the Chinese idiom, a difficulty of rendering the term "full Powers," or even "plenipotentiary" into a correlative. The words used may as well mean "almighty" or "all-powerful" as plenipotentiary; and it is not necessary to say that while etymologically these words in English are identical, they have a very

different

different signification in ordinary use. Besides the — principal reason for Lord Elgin's insisting on this — condition precedent, was the refusal of the authorities at the Capital to correspond directly with us. It was that refusal that seemed to give point to his appeal to me in his letter of the 5th of May, when he asked me "In all earnestness - how is it possible international relations can subsist under such a system?" Now, when the Chinese explicitly yield the privilege of direct correspondence there would be no difficulty in answering his Lordship's earnest appeal. It may not be as convenient as personal access to Peking, but it is better than anything we have ever had before, and even this concession would not have been known to us if all the Ministers had been equally punctilious.

On the very day when Lord Elgin called on me, guardedly to express his dissent from my views and disapproval of my course (though it was communicated in the most respectful manner) I received from Baron Gros his letter of the 7th of May (Enclosure 1a) I was unable to see the justice of the criticism on my conduct which His Excellency, the French Minister thought fit, though in the most courteous terms, to pass, and wrote him my answer of the 8th - the effect of which, as revealed in his note of the 10th and his relations to me since, I am happy to say has been most satisfactory - (1 & c)

(Enclosures)

Confirmed, on full reflection, in my confidence that I was pursuing the course which would promote what I had most at heart, pacification and successful negociation, I had a second interview with the Imperial Commissioners at the Taku forts on the 10th. At my first interview I had required of them to produce before I would see them again, a copy of my letter to the Prime Minister, written from the Canton river on the 10th of February last. I thought its production would show that my letter had reached the Capital, and that these officials were in communication with the Ministry. This was done, and I have it in my possession. An instance of friendly disposition on the part of the Chinese, occurred in the interval of my interviews, which had great weight with me. The Russian Minister had said to the Chinese officials that he should regard it as an evidence of a friendly spirit on the part of the Imperial authorities if they would permit the resident Russian Missionaries at the Capital to come to Taku to meet him and their other countrymen on his Ship.
The Missionaries had been eight years in their exile of Pekin. This too was granted; and after a three day's journey, two members of the Russian Missionary College arrived at Taku. They represent the Capital in a state of deplorable distress and disorganisation

Everything thus conducing to friendly intercourse, on the 10th inst. I went again on shore and had

had a long and interesting interview with their Excellencies the Commissioners. There was the same courtesy and ceremonial as before, and with not a little unmeaning conversation, an approach to some results which were significant. The formal details of the interview I do not care to trouble you with, but the results were these: that they rejected my proposition for a resident or even occasional Minister at Peking, and the free navigation of the rivers of China - but agreed to direct correspondence under seal between the United States and the Privy Council and Prime Minister - the opening of seven new ports including (what I deem of great importance) two in Formosa, viz: Tai-wan and Tan-shwui and five on the coast viz Kiungchau-fu (capital of the Island of Hainan) Tienpeh and Cháuchau-fu, in Kwangtung; Tsiuenchau-fu, in Fichkien, and Wanchau, in Chehkiang - the absolute toleration of Christianity and missionary conversion, a modification of the tonnage duties to the advantage of American bottoms, - and a stipulation in the broadest and strongest terms that in the event of any other or greater privileges political or commercial being either voluntarily or under pressure conceded to other nations, they should ipso facto, ensue to us. I have no doubt, had I been satisfied with this and felt myself entirely independent of of the action of others, I could on these terms have made a Treaty which would have been ratified at Peking and sent back to me in forty eight hours.

On

On the subject of our claims they spoke doubtfully but adversely, and seemed indisposed to entertain any discussion so long as Canton remained in the possession of an enemy, nor did my assurance that I desired no final action till Canton should be restored, seem to affect them. As the interview was strictly preliminary I did not press matters further.

Confident as I was that a Treaty to this limited extent might be made, and that in it, as I have said, I could embody an article giving us the benefit of any stipulation which others might exact, I was too sensible of the obligation which even the partial and unsatisfactory concert I had had with the English and French Plenipotentiaries created, of perfect frankness and unreserve, to think for a moment of making terms with the Chinese without letting the other Plenipotentiaries know what had occurred. I felt my duty to be clearly prescribed, which was to decline further negociations till I could again confer with the other Ministers and let them know how far the Chinese Authorities were willing to go. (Inclosures 2a & b)

For suspending the negociations I had a fair pretext in the doubt which yet existed as to the reception and acknowledgment of the President's letter, as to which I insisted on a distinct and authoritative assurance that it would be received and acknowledged on terms of perfect equality. I therefore suspended further conference and

have

have not resumed it since, taking the first opportunity on my return to this ship to communicate all that occurred to Lord Elgin and Baron Gros.

On the 14th inst: I received a communication from the Commissioners as to the President's letter (Enclosure 3d) in which there is a distinct assurance that it will be answered, and that there is no pretence that the United States are tributaries of China. Absurd as this disclaimer may seem to us, it is not without its significance.

In all this course of action on my part, waiving mere form and consenting to personal intercourse, no word escaped my lips to induce the Chinese to imagine there is the least difference of opinion between the Representatives of the Western Powers. I lost no opportunity of urging the Commissioners to yield any preliminary point as to powers" to attain the greater good of meeting the Plenipotentiaries. My last communication to Tan (Enclosure 3e) was as decisive on these points as if I agreed throughly with Lord Elgin and Baron Gros as to their instructions.

In all that I have done I have had the hearty concurrence of His Excellency Count Poutiatine, to whose integrity of purpose throughout this unpleasant complication, I can hardly do justice.

Our reward has been, that down to this time, we have averted hostilities. I think too, we have made a favourable impression on the Chinese. You will observe that

Lord

Lord Elgin gives as one reason for delaying active operations, his desire of reconciling as far as possible his course with mine, and I have no reason to doubt it is so. A very large, and by the recent arrival of the gun-boats, a very available force has now been here for several days, and I have every confidence that it is no longer the want of means that defers action. I repeat, that it is a high pleasure to feel that I have — contributed anything to defer even for an hour, the great — misery and discredit of a new Chinese war. This effort, whether in the end it succeeds or fails, I hope the President will approve of.

It has been with reluctance that I have — differed even on a preliminary point with the English and French Plenipotentiaries, for my previous correspondence with the Department has shown, how cordial my cooperation thus far has been - how cheerfully I acceded to it when it was suggested and how sanguine I have been of a — favourable result. In my anxiety for the common success I have had sufficient self-control to repress studiously the utterance of the doubts I have sometimes had of the — permanence of friendly relations, when all the voluntary confidence seemed to be on one side.

I do not wish you to suppose I mean from any irritation, now to separate myself, or by separation to put in jeapordy what is yet the common cause of Western Diplomacy; but should the policy which has been adopted

lead

lead to mischievous results, I desire my own Government to understand where the fault lies.

I repeat, that to this time hostilities have been arrested; and be the final result what it may, this procrastination of evil is a benefit.

I desire briefly to recapitulate the fruits thus far of the course which His Excellency Count --- Pourtatine and I have deemed it our duty to pursue.

But for his accidental presence with the Imperial Commissioners on Thursday, 29th ult°, and his earnest dissuasion, the Chinese would certainly have fired on the English and French gun-boats as they entered the river, and hostilities been precipitated, the end of which could not be foreseen.

By the conference I had on the 3d and 10th inst. with the Imperial Commissioners, I at least made my own position intelligible to them. I was able to do more; to extract their views and intentions in the future - the points on which we might hope to succeed - and those on which we should encounter difficulties. The commercial concessions were, in my opinion, liberal, and the refusal which they gave in other matters was decorous and intelligible. It was perfectly apparent that the real difficulty in allowing access to Peking and the Imperial Court was, that they feared that without the ceremonies of tribute and obeisance (which they never whispered)

whispered) the arrival of Foreign Ministers might degrade the Emperor in the eyes of his own people and tributaries; a matter which, after all, commands respectful consideration. If, as there is yet some hope, the point be yielded, (for it is understood that within the last few days the Commissioner has memorialised the Throne to grant it) it will be mainly due to the discountenanced efforts of the Russian Minister and myself.

The resolute stand that I took in persisting in seeing the Commissioners and the reasons that I gave for it, had the further effect of a new delay of six days being granted by the Allies, and keeping the door open for peaceful adjustment. During that delay we have received, though I do not pretend to estimate the precise effect of the — intelligence - news of the fall of Lord Palmerston's Ministry, which reached here on the 9th, and of the rather discouraging tone as to further hostilities of Lord Derby's explanatory speech.

In claiming credit in these partial successes for Count Poutiatine and myself, it would not be candid if I did not attribute a very great effect to the presence of the imposing naval force here assembled - Without it, I am satisfied, we should have had a repetition of the ineffectual diplomacy of past time. Thinking however, that the best use to make of military power is to exhibit and not exercise it, I have persuaded myself

that

that I was bound in duty to do all I could to prevent that exercise at the expense of this feeble and perverse nation. Another grave fear has crossed my mind more than once, and stimulated my anxiety to prevent — hostilities - the apprehension that Great Britain and France might at any moment change their policy as to the occupation or acquisition of territory, and having once begun a war, might not choose to end it without gaining a further foothold here. I have entire confidence in Lord Elgin's sincerity in disclaiming such views now; but a state of war often produces, if it does not justify a change of opinion

Anxious as I am, and as I believe the — Government at home is, that I should secure diplomatic access to the capital and the thorough revision of the Treaty, I know that they only wish it accomplished by peaceful means as prescribed in my instructions — I recognize fully the doctrine assented to my predecessor, that "there is no obligation perfect or imperfect, resting upon China, to negotiate as to the revision of our Treaty at Peking, or at any place in the vicinity of that capital". and I do not believe that the civilized and Christian world will justify a war or any share in hostilities, for the mere purpose of securing new political or commercial privileges.

Should all our efforts at pacification fail, and

hostilities

hostilities assume the form of an elaborate campaign, on the part of the English and French, I still adhere to the course indicated in my despatch of the 15th December last, of withdrawing the Legation and the Squadron from a scene of conflict in which I have no disposition to participate and where there are no material interests to protect. Of course such decision may be modified by circumstances, and will not be finally made till I shall confer fully with the Russian Minister.

I omitted in my last despatch to mention to you that I have temporarily attached to this Legation, during the visit to the North, Mr Bradley, the United States Consul at Ningpo, from whose services I derive great advantage — The consulate is in the hands of my Way, and will be properly administered in Mr Bradley's absence.

I had the honour, on the 9th inst: to receive your despatch (No. 8) of the 2d February, enclosing my new — commission, after the advice and consent of the Senate had been given to my appointment, and yours (No. 9) of February 5th forwarding several printed copies of Secretary Marcy's Greytown letter, but without what I very much desired to have, the views of the Department on the interesting subject to which it relates. I am left to infer that Mr. Marcy's doctrine as to the irresponsibility of assailants is adhered to.

I also acknowledge the receipt of a copy of a

letter

letter of the Secretary of the Navy on the subject of light-draught Steamers. I hope Congress will have taken some action on the subject. I am confident they would, if they could see my position at this moment. I have chartered the only available Steamer to be procured and at a very high rate. I am still dependant on the courtesy of others for means of transit. The chartered vessel which I have could only be sufficiently lightened to cross the bar by emptying her boilers, and was then towed over by the Russian Steamer. The Antelope is a wretched craft, with insufficient accommodations but was the only one we could procure. Bad as the Steamer is, I could not have done without it.

I have the honour to be
Sir,
Your obedient Servant
William. B. Reed.

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Gulf of Pichili, May 15th 1858.

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Dispatch No: 17. Exh. 1a
15 May 1858

Mission Extraordinaire de France en Chine,
à bord de l'"Audacieuse" devant le Pei-ho,
le 7 Mai, 1858.

Monsieur le Ministre,

J'ai reçu la dépêche que Votre Excellence m'a fait l'honneur de m'écrire le 4 de ce mois pour me faire connaître que la veille elle avait eu une entrevue officielle avec les Commissaires Impériaux nouvellement nommés et m'exposer les raisons qui l'ont déterminée à agir isolément dans cette circonstance.

Je remercie Votre Excellence des détails qu'elle veut bien me donner au sujet de l'entrevue, pleine d'intérêt, qu'elle a eue avec les Commissaires Chinois, et je désire bien vivement que les conseils qu'elle à donnés à ces hauts fonctionnaires de ne pas refuser ce qu'elle croyait être les demandes de la France et de la Grande Bretagne soient prises en considération.

Votre Excellence veut bien me dire que la communication que je lui ai faite le 2 de ce mois, communication qui consistait simplement à lui annoncer que la réponse que j'avais reçue du Gouverneur Yan, au sujet des pouvoirs qu'il devait avoir n'était pas satisfaisante, l'avait tirée du pénible état d'incertitude dans lequel elle se trouvait relativement à mes intentions et à

A Son Excellence Monsieur W. B. Reed,
Envoyé Extraordinaire et Ministre Plenipotentiaire des Etats Unis
d'Amérique en Chine, &c va va.

celles de Lord Elgin depuis l'envoi à Pékin des dépêches qui demandaient au Gouvernement Chinois la nomination de Plénipotentiaires convenables dûment autorisés à traiter avec nous. Que Votre Excellence veuille bien me permettre de lui rappeler la position si nette que j'ai prise dès le premier moment de concert avec mon honorable collègue d'Angleterre et à laquelle Votre Excellence a adhéré cordialement sans pouvoir cependant, ainsi qu'Elle a bien voulu me le dire, dépasser les limites qui lui étaient tracées par ses instructions entièrement pacifiques. — Votre Excellence a entre ses mains une copie de la note que j'ai écrite au Premier Ministre Yu, le 12 février dernier, et Votre Excellence pourra y voir qu'après avoir exposé à ce Ministre les demandes de la France et les réparations qu'elle exigeait, sauf, s'il le faillait, à y apporter quelques modifications, je terminais ma note par ces paroles si précises: "Si à l'époque désignée, c'est à dire à la fin "du mois de mars, le soussigné ne trouve pas à Shanghaï, "où il va se rendre, un Plénipotentiaire convenable muni "de pouvoirs suffisans pour accorder les réparations voulues "et pour résoudre les questions dont il vient d'être parlé, &c., "le soussigné se verra forcé, bien à regret, de prendre les "mesures que les circonstances exigeront pour mettre un "terme à un état de choses qui ne doit pas se prolonger."

Il était donc évident que si, au 1er Avril de cette année, je ne trouvais pas à Shanghai un Plénipotentiaire

muni de pleins pouvoirs pour traiter avec moi, j'aurais le droit de recourir immédiatement à l'emploi de la force si, de concert avec mon honorable collègue d'Angleterre, nous le jugions nécessaire. Et Votre Excellence me rendra, je l'espère, cette justice de croire que je n'aurais jamais pris une résolution de cette nature sans en avoir préalablement donné connaissance à Votre Excellence qui s'était associé si complètement à nos démarches pacifiques.

Il est inutile de rappeler à Votre Excellence ce qui s'est passé à Shanghaï. Aucun Plénipotentiaire Chinois ne s'y est présenté au nom du Gouvernement de Pékin ni avant ni après le 1er avril et, dès ce jour là, j'avais le droit d'agir hostilement contre le Gouvernement Chinois si je le jugeais nécessaire. Cependant, bien qu'ayant reçu une réponse qui n'était pas satisfaisante, animé alors, comme je le suis encore, du désir sincère de ne pas en venir à de fâcheuses extrémités sans y être contraint, et voulant aussi faciliter le plus longtemps possible à Votre Excellence le moyen de ne pas séparer encore son action de la nôtre, j'ai eu l'honneur de lui faire connaître que, d'accord avec mon honorable collègue d'Angleterre, j'allais me rendre dans le Pé-tché-li en donnant ainsi un second délai au Gouvernement Chinois, et j'ai envoyé à Votre Excellence une copie de la note que j'ai écrite au Premier Ministre Yu pour lui annoncer mon prochain départ pour le Nord.

Arrivé devant le Pei-ho et n'y ayant reçu aucune

communication de la part des autorités Chinoises, il a été convenu entre Lord Elgin et moi qu'au lieu d'agir hostilement, nous accorderions un troisième délai au Gouvernement de Pékin, et, comme toujours, j'ai eu l'honneur d'en prévenir Votre Excellence.

Enfin, l'arrivée de deux Commissaires Impériaux à Takou, suivie bientôt de celle du Gouverneur-Général lui même, nous ayant été annoncée, j'ai dû, avant de faire connaître à Votre Excellence la détermination que je pourrais être amené à prendre, savoir exactement si cette démarche du Gouvernement Chinois était sérieuse et si comme je l'avais demandé en termes qui ne se prêtaient à aucune équivoque, ces Commissaires avaient les pouvoirs nécessaires pour traiter avec moi les questions soumises depuis longtemps à la Cour de Pékin. Il m'a donc fallu passer une note à ce sujet au Commissaire Impérial Tan, et j'en ai envoyé une copie à Votre Excellence. Tan m'a répondu qu'il était ici pour savoir ce qu'il y avait à traiter et en référer à Pékin. — J'ai transmis le 2 de ce mois cette réponse à Votre Excellence en lui exprimant l'idée qu'elle n'était pas satisfaisante et en lui annonçant que dès que ma réplique au Gouverneur serait prête, je la lui enverrais. Je n'ai pas besoin de lui dire qu'un parti décisif à prendre, dans des circonstances aussi graves exigeait assurément un examen approfondi!

Le lendemain j'ai appris par un rapport adressé

à Mr l'Amiral Rigault de Genouilly que ce jour là même, c'est à dire le 3, vous aviez été reçu officiellement et en grande cérémonie par les Commissaires Chinois, et c'est le 4 que Votre Excellence en me faisant connaître la détermination qu'elle avait prise et mise à exécution la veille, la motive sur l'incertitude qui avait cessé d'exister dans son esprit au sujet de mes intentions et de celles de Lord Elgin, et sur l'impossibilité où elle se trouvait d'adhérer préalablement à une correspondance relative aux formules plus ou moins strictes de la diplomatie occidentale. Je ne puis ici, Monsieur le Ministre, que rappeler les faits et quelle qu'en soit la cause, il n'est pas douteux qu'avant que l'action diplomatique des quatre Plénipotentiaires n'ait cessé d'agir d'un commun accord vers un but pacifique, un acte isolé et officiel a pu faire croire peut être aux Chinois que l'entente qui existe heureusement en ce moment entre les quatre Plénipotentiaires n'est pas aussi intime qu'ils avaient à le craindre.

J'espère, Monsieur le Ministre, que Votre Excellence ne verra dans cet exposé que sa dépêche du 4 m'amène à lui présenter que le désir que j'éprouve de bien la convaincre que je n'ai jamais eu la pensée de laisser un seul instant Votre Excellence dans l'incertitude tant que je n'y étais pas moi même, et je la prie instamment de croire que si, par une cause involontaire,

j'ai pu en faire naître la moindre dans son esprit, je le regrette sincèrement.

Quoi qu'il en soit, j'appelle l'attention de Votre Excellence sur la note que j'ai passée à Tan et dont j'ai déjà envoyé une copie à Votre Excellence; c'est encore un quatrième délai accordé au Gouvernement Chinois. Je ne lui demande pas, comme Votre Excellence a pu le croire, de se conformer aux usages Européens au sujet des pleins pouvoirs à donner à ses Commissaires et je ne réclame de lui que ce qu'il a déjà fait en 1842 et en 1844, pour le Commissaire Ky-ing. Tan, à mon avis du moins et d'après la déclaration qu'il m'a faite, n'a aucun pouvoir pour traiter avec moi et si j'allais le rejoindre je me trouverais dans cette position inacceptable que, ne pouvant être reçu a Pékin pour y entrer en négociations, je me placerais en présence de hauts-fonctionnaires sans facultés pour traiter et qui n'auraient autre chose à faire que de m'écouter pour répéter à Pékin ce que j'ai déjà écrit au Premier Ministre de l'Empereur dans cette capitale.

La note que j'ai passée au Gouverneur Tan est une nouvelle tentative faite dans l'espoir, bien faible je l'avoue, d'en venir à une solution à l'amiable avec le Gouvernement Chinois, et je m'empresserai de faire connaître a Votre Excellence la réponse que je recevrai de ce fonctionnaire, comme aussi le parti auquel je devrai m'arrêter, de

concert avec mon honorable collègue d'Angleterre, si malheureusement il fallait encore recourir à l'emploi de mesures coërcitives.

Votre Excellence est convaincue que le nouveau Commissaire Impérial a tous les pouvoirs nécessaires pour négocier et résoudre avec elle les questions qu'elle a indiquées dans sa correspondance avec le Premier Ministre à Pékin, et qu'il n'aura à en référer au Gouvernement Suprême que pour demander la sanction définitive du Traité convenu. Je désir vivement qu'il en soit ainsi et peu de jours suffiront maintenant pour savoir si les faits sur lesquels je base mes conjectures n'ont pas la portée que j'ai cru leur trouver, et si la confiance que Votre Excellence accorde aux paroles des nouveaux Envoyés est fondée.

Je n'ai pas besoin de dire à Votre Excellence que je serais heureux si mes craintes n'étaient pas justifiées.

J'ai l'honneur d'être, Monsieur le Ministre,

de Votre Excellence,

le très humble et très obéissant Serviteur

Bon Gros.

Dispatch N°: 17 - Exh. 1
May 15. 1858

Legation of the United States
On Board the Minnesota
Gulf of Pechili, May 8th. 1858

Monsieur le Baron,

I hasten to acknowledge the receipt of Your Excellency's letter of the 7th which came to my hands this morning. The courteous spirit which animates it, so entirely consistent with the cordial friendliness of our personal relations and the desire I have that no act of mine should ever for a moment be misinterpreted, combine to induce me promptly to reply to it. In order to do so I may find it necessary to recur to details very familiar to you, but which I desire to present in a proper collocation.

I flatter myself that I can convince Your Excellency that I have never desired, still less determined to act isolatedly (isolément) in the unpleasant circumstances in which, by no act of ours, His Excellency the Russian Plenipotentiary

and

His Excellency Mr le Baron Gros
Commissioner Extraordinary and Ambassador
of H. M. The Emperor of the French in China.

and myself have lately found ourselves, that what I have thought it my duty to do has been the result of as careful a consideration (examen ap profondè) as I have been able to give it, and that there is as little danger from what Your Excellency erroneously terms "un acte isolé", such as I have adopted, as from any other direct step towards a people so peculiar as the Chinese. If I fail to do so, I beg to say to you with a sincerity which my high personal esteem for Your Excellency ensures, that I shall most deeply regret it. I do not think however, when the matter is properly presented, there can be any misunderstanding.

Your Excellency's frankness enables and requires me to be equally frank in return, and so writing, to refer somewhat to the past.

For the first three months after my arrival in China, and during the hostilities in the South, though charged to put myself in frank and unreserved communication with Your Excellency and Lord Elgin, I found myself in a position really of isolation. Instructed by my Government, as you are aware, for I have every reason to believe a copy of my instructions was given to

to Count Sartiges, — to avail myself of any opportunity, by means of mediation, to terminate or avert actual or impending hostilities, I was deprived of all means of doing so by the perversity of the then Imperial Commissioner, who refused to see me, and thus frustrated all good offices. It is not worth my while to conjecture what would have been the result of an experiment at mediation even if Yeh had solicited it. I made none, however, and only refer to this as illustrative of the solicitous feeling I had to be the means, however humble, of putting an end to what I believe we all regard as these deplorable hostilities. As to the "isolation" to which I, as the Representative of the United States felt myself condemned during the actual progress of hostilities, from the date of the blockade of the Canton River by Admiral Rigault de Genouilly on the 10th December, to the restoration of peace by the notification of Your Excellency and Lord Elgin on the 6th February, I was willing to find ample reason for it in the necessities of a state of war, and Your Excellency

will

will do me the justice to remember that I never sought in correspondence with you to depart from it or to intrude upon councils to which I was quite aware I could not be a party.

From this position, I supposed I was entirely relieved by the communications made to me by Your Excellency and Lord Elgin on the 4th February and you do me no more than justice in saying that I entered and have adhered cordially to the concert of action which was there proposed – and I think you will do me the further justice that, until what Your Excellency seems to think was my separate action on Monday last (4th), every support was given by me to whatever measures Lord Elgin and Your Excellency suggested that either you, we, or our respective governments could desire.

But at the same time Your Excellency will permit me to observe – for your frankness requires me to speak plainly (parler tout haut) – that with the modified concert which was prescribed, I was far from content. It is, I am quite aware, hardly consonant with

good

good taste, even to seem to complain of a want of confidence among equals, nor should I do so but for the fact of an undeserved inference, as it seems to me that I had departed from a well understood concert between us. The moment that Your Excellency's notification of the 6th February announced to the world that hostile operations against China were suspended and Treaty relations restored, I supposed that the distinction well taken during actual war between the Representatives of the Treaty powers was at end, and that there would be that free concert in the form of conference and consultation which is always most agreeable as it is the safest, and to which I could not but feel my country was entitled. Yet for reasons which no doubt were sufficient and into which I beg you to believe, I do not pretend to enquire, a different course was and has been to this moment pursued and the concert from the date of the despatches of February to those of April to the Court of Peking, has simply been the adoption of a course of action by the Representatives of France and Great Britain and a request

to

to the Russian Plenipotentiary and myself to follow it – Resolute that no accidental feeling on our part should interfere with a general line of conduct toward the Chinese Authorities which our judgment approved we have followed implicitly; and I beg to assure Your Excellency that no word has escaped me in correspondence with my own Government revealing a state of feeling which would not have been made known to you now but for the friendly tho' somewhat inculpatory tone of your last letter. Nor do I feel, and I have a strong desire to disabuse Your Excellency's mind on this point that the course which I have lately felt it my duty to adopt is any departure from the concert. I have so steadfastly cherished. It rather illustrates the evil of that sort of distant, half confidence which I have so much regretted.

I beg Your Excellency's attention to the actual state of recent facts. On the 23rd April I received notes from Your Excellency and Lord Elgin informing me that you proposed to send letters to Peking allowing six more

days

days from the 24th for the appointment of a duly accredited Plenipotentiary to meet you at or near Taku, a place within the mouth of the river, either on shore or on board one of your vessels. In this course I at once and cheerfully acquiesced and was sorry that the very late hour at which I received your private note prevented me from availing myself of the courteous offer of Lord Elgin and yourself to forward my despatch by the gunboat. I sent mine, as you are aware, through the friendly agency of Count Poutiatine. In my despatch to Peking, of which Your Excellency was at once furnished with a copy I said that on the last day of the month (Friday 30th) I meant to be at or near Taku hoping there to find a Plenipotentiary. Such was my intention and such I believed to be yours - and it was my understanding that during those six days there was to be no change in our mutual relations or in Yours to the Chinese.

On Thursday the 29th - one day before the expiration of the time allowed to the Chinese, I learned accidentally from observation made by

by the Officers on board this ship that five or six English and French men of war had crossed the bar and anchored close to the Chinese batteries near Taku – This was, I confess, matter of surprise and regret to me, more perhaps because it seemed to me to be a new revelation of the want of entire confidence, or rather of the separate action which I had so long deplored. My duty however was that of silence – and in maintaining it to follow the example set me, for Your Excellency will recollect that not one word passed between us from the 24th of April to the 1st of May when I wrote to you what I may well describe as my anxious note of that day except your note of the 28th & 9th enclosing the letter of Tsung And Yun with its annotations.

With His Excellency Count Poutiatine I had in that interval the most constant and unreserved intercourse and I should do him the greatest injustice did I fail to bear willing testimony to his earnest efforts at any sacrifice of personal convenience

or

or official punctilio to induce the Chinese authorities to do what was right, and what he supposed you required. If I may venture to describe the prevalent sentiment which pervaded our conference it was a sense of perplexity and a strong regret that we were not apprised of the current state of things as affecting the acts of the other Plenipotentiaries. Count Poutiatine had more than one personal interview with the Chinese Officials, and I have every reason to believe what was designed, done and said by and to him was as unreservedly communicated to Your Excellency as it was to me.

Be this as it may from the 23rd to the 30th I remained in this ship. What communications passed between the first Commissioner Tsunglun and You and myself – and the course I thought it my duty to take in sending back the first communication from Tau you are already apprised of.

I meant to treat it as a nullity and to go in, near Taku, as I had said I should, and in this decision I was more determined by the fact of

the

the vessels of war having gone in the day before and from my reasonable assumption that Your Excellency and Lord Elgin meant to go in too - If there is anything on the face of the correspondence or in our personal intercourse to authorise a different conclusion it has escaped my recollection - This anticipation was strengthened by the receipt of a communication from Tan on the morning of the 30th in proper form, forwarded to me in a boat from the "Audacieuse", and by the fact that the Chinese Officers who brought it exhibited cards from Your Excellency and Lord Elgin and informed me that Tan's letters to you had been received. I had a right to take for granted they were identical in terms with mine, and in the exercise of the best unassisted judgment I could form, mine was at least sufficiently satisfactory as to justify me in meeting the new Commissioner. And here Your Excellency will permit in the same friendly unreserve which I assure you animates me, to observe another practical embarrassment resulting

from

from the comparative estrangement to which Count Poutiatine and I have felt ourselves condemned - in the want of something like a standard of interpretation of those Chinese documents in which we are equally interested. Documents may be identical in words and yet differ widely when interpreted. I have some reason to think this has been the case and nothing would have been more agreeable to me, if I had supposed it would be acceptable, than to put at Your Excellency's command any facilities I have or to receive them in return.

Thus uninformed and thus reasoning I entered the river on the afternoon of the 30th - My letter to you of the 1st described to you my disappointment at your then unexplained absence, - the courteous urgency of the Chinese and my refusal to fix a time out of deference to the views of Lord Elgin and Your Excellency. Unable to account for your absence I had said to the Chinese that on Monday at the latest I would fix the time for the interview, and much as I desired to conform my action

to

to yours, having said so I certainly did not feel at liberty in consequence of the late revelations made to me on the evening of Sunday (2d) to say to the Chinese that I had changed my mind altogether and would not meet them till a new scruple not originating with me had been removed. The fruit of my perplexity and of mature consideration was to keep the word I had given and meet the Commissioner. Your Excellency will observe that I had no reason before to suspect that Tan's letter to you differed in terms from his to me, and that was not known to me till late in the evening of the 13th May.

But it would be very unfair to attribute the course I took wholly to the silence of Your Excellency and Lord Elgin. My judgment differed then as it does now on the question of the expediency of personal conference and enquiry before asking for the production of full powers. I doubt whether even among Western nations, pretending to great accuracy of forms (though in this and all other matters

of

of technical diplomacy I defer to Your Excellency's greater knowledge and experience) a preliminary demand as to the production of a Plenipotentiary's powers would precede an interview or reception. Here, I am satisfied, no such condition precedent should be exacted; and thus thinking, deliberately and conscientiously, I was aware of nothing, even in the past friendly relations existing among us, to require me to yield that judgment. My adhering to it and acting on it, contrary to what it now appears were Your Excellency's wishes, is a new illustration of the evils of the limited confidence which has been allowed to exist.

I have thus frankly explained to Your Excellency the reasons which were operative to lead me to adopt the course I have pursued; and it will be a matter of extreme regret to me if they do not convince you that nothing was further from my mind than an intentional disregard of your wishes, or of any mode of concerted action you suppose was adopted. It may be as Your Excy intimates, that what you describe as my confidence in the words of the Imperial Commissioner and his colleagues, may

be

be misplaced; but if it is, I shall be content to bear the reproach of undue credulity; having the consciousness that, according to my unassisted judgment, I have done what little lies in my power to avert or to postpone the shedding of blood in the unequal contest of the very strong with the very weak. A judgment on what I do, must, after all be passed by my own countrymen, who have sent me here on an errand of peace.

Saying this, I beg to renew to Your Excellency the assurance of the great pleasure I shall have in finding that by this frank explanation of what I meant and have done, I have removed an erroneous impression from your mind, and of the high and sincere regard and distinguished consideration with which

I am, Monsieur le Baron

Your Excellency's

Obedient, humble, servant

William B. Reed

Dispatch 17. Enc. 1
May 15. 1858

Mission Extraordinaire de France en Chine,
à bord de l'"Audacieuse", rade du Pei-ho.
le 10 Mai, 1858.

Monsieur le Ministre,

J'ai reçu la lettre que Votre Excellence m'a fait l'honneur de m'écrire pour répondre à celle que je lui avais adressée le 7 de ce mois, et Votre Excellence veut bien me dire en finissant qu'elle apprendrait avec plaisir que, par suite de l'exposé qu'elle venait de faire de ses intentions et de ses actes elle avait écarté de mon esprit toute impression fâcheuse! Rien ne m'est plus facile, Monsieur le Ministre, et j'assure à Votre Excellence qu'il ne me faut pour cela que lui écrire ce que je pense et lui exprimer ce que je sens.

J'espère de mon côté que ce léger incident qui, du reste, me fait connaître une situation dont je n'avais aucune idée, je l'avoue franchement, ne laissera pas plus de traces dans l'esprit de Votre Excellence qu'elle n'en laisse dans le mien; je ne voudrais pas cependant qu'elle put croire qu'il se trouve un reproche dans ma lettre ainsi qu'elle veut bien me le dire; ce n'est qu'un regret que j'ai voulu y exprimer.

Je recevrai toujours avec plaisir les communications que Votre Excellence veut bien m'annoncer et je désir

À Son Excellence Monsieur W. B. Reed,
Envoyé Extraordinaire et Ministre Plenipotentiaire des
Etats Unis d'Amérique en Chine. va va va

bien, sans toutefois oser l'espérer, que les négociations pacifiques puissent bientôt commencer.

J'ai l'honneur d'être, Monsieur le Ministre, avec une haute considération,

de Votre Excellence

le très humble et très obéissant serviteur.

Bon Gros.

Dispatch 17 - Exh. 2a
May 15. 1858

Legation of the United States

Anteloppe May. 11. 1858

Monsieur le Baron,

I have the honour to inform you that I had another interview yesterday with the Chinese Imperial Commissioners, the result of which I regret to say was far from satisfactory. At my former interview I promised to meet them again at the expiration of five days, if in the mean time they should furnish me from the Archives at the Capital, a copy of the letter which on the 10th of February, I addressed to the Supreme Council of State. A copy of that letter was sent to me on the 8th (Saturday)

My object in seeing the Commissioners - aside from keeping the promise I had given them was two fold.

1st To endeavour to persuade them, by a candid and earnest expression of my own wishes and of my conviction of the certain consequences of a refusal, to comply with the requisition of Your Excellency and Lord Elgin, as to the production of powers such as were held by Keying and Ilipoo in 1842 and by Keying in 1844. I regret to say that no impression seemed to be made by what I said and that I have no doubt either that an

absolute

To His Excellency, Monsieur le Baron Gros
Commissioner Extraordinary & Ambassador
of H.M. the Emperor of the French, in China

absolute refusal will be sent or the time allowed will expire without a word of reply to Your Excellency's demand. The High Commissioner repeated all he had before said and written as to his proximity to the Court and the inconsistency of such a delegation of power with the established rules of the Empire, adding at last the remarkable statement, of the truth of which you can judge as well as I, that if Keying exhibited such powers, he must have forged them, and that he was degraded for what he did. I do not care to enquire where the falsehood is, from recent revelations my confidence in Keying's good faith not being at all greater than what I have in his successor. All however that is material is, that the Commissioner gave me distinctly to understand that the demand of the Plenipotentiaries of France and Great Britain will not be complied with and that he and his colleagues were prepared for the consequences of this decision.

With the view I had been willing to talk of Tan's assumed powers, I had another object in my interview yesterday which was to ascertain, if possible, on what points he was, even in his own limited authority, the same as he says Keying really had, willing hereafter to negociate.

With a very distinct understanding that it was but matter of preliminary enquiry I had no difficulty in arriving at a result here also. To the suggestion of a resident Minister at Peking - or to any visit periodical or otherwise -

or

or to personal access to the Court, and to opening the rivers and internal marts of China, an absolute refusal is given, even to the extent of not being willing to discuss it.

The points on which they expressed a — willingness to treat and which I believe could be embodied into a treaty are 1. Direct correspondence by sealed communications with the Privy Council - not only the receipt of such communications but the acknowledgment of them on terms of equality. In short direct correspondence in its most comprehensive form. 2nd The immediate legalization and opening of all the ports where irregular trade is now carried on, and those named were Swatau, Chinchu, Taiwan, Fangshan, Wunchaw & Chapoo. I think that a modification of duties might be treated of, tho' as I had no intention of doing more than ascertaining in a general way, what hereafter they might be willing to discuss, I did not go into detail.

There was another incidental matter which was talked of in this interview - the proper mode of receiving the President's letter at the Capital. I refused to hand it to the Imperial Commissioner until I should see the decree of the Emperor, as to its mode of reception. It was promised to me and this morning it has been sent. I enclose a copy and need hardly say, it is entirely unsatisfactory.

The subject of claims of citizens of the

United

United States was also alluded to, as a matter about which I enquired, if the Commissioners felt themselves authorised hereafter to negociate. They were not understood to deny their powers or willingness to treat of this - but the impression left on my mind was very clear that such claims - stated as they were in the most general way and to a moderate amount, would not be recognised. So distinct is this impression that it is my intention by the earliest possible opportunity to ask on this point new instructions from my Government.

I enclose to your Excellency a copy of the note which it is my intention to morrow to address to the High Commissioners, from which you will see the final decision to which I have come, and I have every reason to hope that this incidental effort on my part to induce these officials to listen to reason made by those, they choose to regard as friends, will not be without its good results. Let those results be what they may in the immediate future, I am conscious of a sincere desire to defer the evil day of conflict, and to make more apparent to the Chinese Government that it is a necessity created by themselves which reconciles me to what is about to occur -

I had the honour this morning to receive your Excellency's letter of the 10th for which I beg to thank you, and heartily reciprocate

the

the Kind feeling it expresses.

I have the honour to be

M^r le Baron, with the highest consideration

Your Excellency's

most obedient, humble Servant

William B Reed.

(A similar letter sent to Lord Elgin omitting the last paragraph.)

Dispatch N°: 17 - Exh. 2d
May 15. 1858

Legation of the United States
"Minnesota . May 18th, 1858

My Lord,

I find, on conference with Mr Williams, the Secretary of Legation and Chinese Interpreter, who returned last evening from the river, that in my communication to Your Excellency of the 11th inst. I misstated the names of the ports which the Chinese Authorities expressed a willingness to open to foreign trade. Those which really were named are,

Hai-kau, the entrepôt of Kiangchau fú in the island of Hainan;

Tsinpeh and Cháuchau fú (or Swatow) in the province of Kwangtung;

Tsiuenchau fú in Fuhkien;

Taiwan and Tan-shwui in Formosa; and Wanchau fú in Chehkiang

I have no doubt these would be conceded without difficulty.

Mr

To His Excellency
The Earl of Elgin & Kincardine
H. B. M. High Commissioner &c &c &c

Mr Williams in delivering my last letter to the Commissioners, had a long conversation with Tsien, the Treasurer, who was deputed to meet him. So soon as the weather moderates, Mr Williams will have the honour of waiting on Your Excellency and communicating the purport. It may interest you.

I have the honour to be

My Lord,

Your Excellency's Most Obedient Servant

William B. Reed

(A similar note was sent to Baron Gros — omitting the last paragraph.)

Dispatch 17 - Encl. 2
May 15. 1858

H. M. S. Furious

May 11. 1858

Sir,

I have had the honour to receive this Evening your Excellency's letter of this day's date and beg to offer you my thanks for the very — interesting information which it contains

I have the honour to be

Sir,

Your Excellency's

most obedient

humble Servant

Elgin & Kincardine

His Excellency

The Honble W. B. Reed

&c &c &c

Dispatch 17- Exh. 2d
May 15. 1858

Mission Extraordinaire de France en Chine,
à bord de l'"Audacieuse", le 12 Mai, 1858.

Monsieur le Ministre,

J'ai reçu hier la dépêche que Votre Excellence m'a fait l'honneur de m'écrire pour me donner connaissance du résultat de la seconde entrevue qu'elle avait eue avec les Commissaires Impériaux nouvellement nommés. Je lui accuse également réception des documents joints à cette dépêche, et je remercie Votre Excellence de cette importante communication. Je n'ai pas besoin de lui dire combien je regret l'aveuglement et la mauvaise foi que les autorités Chinoises ont déployés dans cette circonstance.

Votre Excellence trouvera ci-joint une traduction de la réponse que j'ai reçue de ces mêmes Commissaires auxquels j'avais demandé de solicites de leur Gouvernement des pouvoirs identiques à ceux qu'avait reçus Ky-ing en 1842 et en 1844. Cette réponse est loin d'être satisfaisante, surtout après les declarations faites à Votre Excellence par les mêmes Commissaires sur leur volonté d'opposer un refus formel aux demandes de la France et de l'Angleterre.

A Son Excellence Monsieur W. B. Reed, Envoyé Extraordinaire et Ministre Plénipotentiaire des Etats Unis d'Amérique en Chine, v^a v^a v^a

Dans les graves circonstances que peuvent amener l'attitude prise par les Commissaires Chinois, j'aurai à prendre bientôt une détermination que ma position particulière me commande, et quelle qu'elle soit, j'aurai l'honneur de la faire connaître à Votre Excellence le plus tôt qu'il me sera possible.

Je saisis cette occasion pour renouveler à Votre Excellence l'assurance de mes sentiments de haute considération.

Bon Gros.

Dispatch No. 17 - Encl 2
May 15. 1858

Traduction. — Réponse de Tan au Baron Gros. — 10 Mai, 1858.

Tan, v^a v^a — Tsung, v^a v^a, Ou, v^a v^a font la communication suivante:

Nous avons reçu une dépêche de V. Ex. dans laquelle elle nous dit que les Commissaires Impériaux Ky-ing et Y-li-pou avaient reçu des pleins pouvoirs de l'auguste Empereur Tao-kwang pour résoudre de vive voix les différends qui existaient alors entre les deux nations, et qu'Elle fixait un delai de six jours pour que nous demandassions à la Cour des pleins pouvoirs identiques à ceux qui avaient été donnés alors à ces Commissaires Impériaux.

Ce que V. Ex. nous dit est une preuve de sa prudence dans le maniement des affaires publiques, mais nous devons lui faire connaître qu'en Chine le titre de <u>haut fonctionnaire muni de pleins pouvoirs n'existe pas.</u> Les pouvoirs pour agir en temps opportun qui avaient été donnés aux deux Ex-Commissaires Ky-ing et Y-li-pou, pour qu'ils pûssent conclure des traités furent demandés dans cette occasion, mais ces pouvoirs ne leur accordaient pas le droit d'agir librement et à leur volonté. Nous, les hauts fonctionnaires, ayant été expressément nommés par l'auguste Empereur, nous avons reçu de
" S.M. un décret, dans lequel Elle nous dit: — "Tsoung-lun et l'autre (Ou)
" qui ont été nommés Hauts Commissaires Impériaux peuvent délibérer
" et traiter les affaires, et Tan-ting-siang, occupant un poste plus élevé à
" l'ordre, par cela même, de délibérer avec eux."

Du moment où les ordres augustes de S.M. nous autorisent à négocier les affaires en litige, nous avons des pouvoirs semblables à ceux des deux Commissaires Ky-ing et Y-li-pou, et les questions que nous

aurons à traiter le seront avec toute justice et sans la moindre partialité pour le bien des deux nations. Il suffit pour le prouver de rapporter que dans la quatrième année de Hien-foung, (1854) dans laquelle le Commissaire actuel, Tsoung, se trouvait ici même avec le second Envoyé de votre noble nation et l'envoyé d'Angleterre, pour s'occuper de l'exemption du paiement des droits arriérés, la question dont il s'agissait avait été soumise à la Cour, et après avoir reçu l'approbation de l'Empereur, avait pu se terminer. Et maintenant, ayant vu la dépêche que V. Ex. nous a adressée, nous en avons référé à la Cour, et nous avons reçu le décret Impérial qui nous prescrit de nous conformer aux ordres qui nous avaient été donnés de traiter les affaires.

Nous devons donc adresser cette réponse à V. Ex. pour qu'Elle le sache et nous la prions de vouloir bien ne pas retarder cette affaire et ne pas concevoir de doutes. Nous espérons aussi qu'Elle voudra bien, sans perdre de temps, nous indiquer le jour où nous pourrons nous réunir pour délibérer.

Dépêche spéciale, adressée à Ko, Vte

Le 27me jour de la 3me lune de la 8ème année de Hien-foung. (10 Mai, 1858.)

Pour traduction exacte.

Bon Gros.

Tan, Governor General of Chihli; Tsung, Superintendant of Granaries; and Wu, Under Secretary of the Cabinet, hereby communicate on business:

We have to acknowledge Your Excellency's "communication, in which you remark "I am doing "all in my power to avert further hostilities, but [the "Imperial Commissioners] must meet and deliberate in "a proper Spirit," &c.(1) We, the Commissioners, having had the honour to receive His Majesty's commands to repair to Tientsin, and there to attend to and manage the demands of each nation, must necessarily carefully deliberate on those demands with justice and fairness. It is a matter of great satisfaction to us that we have now obtained Your Excellency's mediatory good offices, and consequently we ought to open negociations upon those points which relate to the United States.

At the last interview you spoke to us respecting the Letter from the President, and we have now been instructed by a rescript from the Throne that we have permission to receive it. Will Your Excellency accordingly prepare the Letter and transmit it to us, with the translation, that we may respectfully hand up the same.

We also herewith enclose to Your Excellency a copy of the letter [which you] sent to the Prime Minister Yu, that you may Examine the same.

An

An important communication; sent to
His Excellency William B. Reed,
Envoy Extraordinary and Minister Plenipotentiary
of the United States, in China.
May 7th, 1858.

(1) This extract is abbreviated in an important
" point: the original despatch read thus: — "I am doing
" all in my power to avert further hostilities; but unless
" the preliminary demands of the English and French Ministers
" are met and acceded to in a proper spirit," &c &c The
writers apparently wish to avoid the idea that they
promise to accede to those demands, while referring
to the rest of the sentence respecting the arrest of hostilities.
Translated by S. W. Williams.

Dispatch 17 - Ex 3d
May 19. 1858

Mr. Reed to Tan.

The undersigned, Envoy Extraordinary and Minister Plenipotentiary of the United States informs His Excellency Tan, &c, that according to promise he intends, if the weather permits, to be at the Taku forts on Monday, the 10th inst., between 10 & 11 o'clock in the morning, then to resume his friendly interview with His Excellency.

He is not yet officially informed whether His Excellency has received from Peking the papers he promised the undersigned to procure. If they have come, he hopes the Imperial Commissioner will notify him in writing of that fact, and send him copies of what he has received.

The moment the undersigned receives such official notification he will send to His Excellency the Commissioner the points on which he desires to change the present Treaty.

Having thus complied with all that he promised, the undersigned says to His Excellency the Commissioner that he shall expect, as a matter of friendship and justice, that His Excellency shall produce at the next meeting his Commission and powers, or the decree containing them, such as Keying and Sli-poo had in 1842, and Keying had in 1844.

This the English and French demand under threats; and this the Americans, the faithful friends

of

of China, have a right to look for. This is due to friendship.

The undersigned will remain on board his ship, at the outer anchorage, till Sunday Evening.

W. B. Reed.

On board the "Minnesota,"
May 7, 1858.

Tan, Governor General of Chihli; Tsung, Superintendant of Granaries, with Wu, Under Secretary of the Priy Council, herewith send a communication:

We have to acknowledge Your Excellency's communication, in which you inform us that on the 10th inst., if the weather be favourable, you will come to an interview about 11 o'clock, A. M., for the purpose of friendly consultation, &c &c.

We are gratified to learn from this new proof that Your Excellency still maintains your friendly and cordial regard. It is highly expedient that we should personally discuss all the points to be settled by us; and we accordingly request that the proposed interview may be held at the time specified, when we can confer together. We further request that the President's Letter may be brought at the same time, in order that we may forward it to Court.

As is meet, we now forward this necessary note to

His Excellency W. B. Reed,

Envoy Extraordinary and Minister Plenipotentiary of the United States, in China.

May 8, 1858.

Translated by S. W. Williams

Dispatch 17. Enc 3 & 4
May 15. 1858

Tan, Governor General of Chihli; Tsung, Superintendant of the Granaries; and Wu, Under Secretary of the Cabinet, hereby communicate on business:

We have memorialized [the Throne] respecting the Letter sent from your country, and His Majesty is much pleased to learn that there is one. On the 5th inst. His Majesty issued "his rescript to the following effect: "The National Letter, "(i.e. the President's) which by regulation should have been "given in to be forwarded from Canton has now been brought "to Tientsin. Tan Tingsiang and his colleagues were "thereupon commissioned by Ourself to attend to it, and they "are now allowed to receive and to forward the same, and to "hand it up on behalf of the American Minister, together "with the translation, by which We may be able to understand "it fully." This from the Emperor."

As is proper, we now respectfully copy the above, and communicate it to Your Excellency.

A necessary communication; addressed to
His Excellency William B. Reed,
Envoy Extraordinary and Minister Plenipotentiary of the United States,
in China.
May 10. 1858.

Translated by S. W. Williams.

The undersigned, Envoy Extraordinary and Minister Plenipotentiary of the United States of America, in China, makes this communication to His Excellency Tan, Imperial Commissioner, &c &c.

He does it with sincere regret, because it is the acknowledgment of a slowly formed conviction that the High Authorities of the Chinese Government do not mean either to make those concessions which international necessities require, or to do that justice to the United States which is due to the friendship which has so long existed.

The undersigned has fully explained to Their Excellencies the importance he attaches to the proper reception and acknowledgment of the Letter with which he is charged from the President of the United States to His Majesty the Emperor, and why, from the past experience of his country in this respect, he exacts a positive assurance before it leaves his hands that it will be safely forwarded, and acknowledged on terms of equality. The Imperial rescript sent to the undersigned to-day gives no such assurance, and is therefore unsatisfactory. He cannot forward the Letter.

In his recent interviews with the High Commissioners, the undersigned, in his sincere desire to avert hostilities, departed from the strict rules of form and met them on their assurance that they had all the powers which their Government could delegate, and which were needed for preliminary negociations.

In his conversation yesterday he ventured to inquire on

what

what points they were willing to negociate, and learned with much regret that the two to which the Government of the United States attaches great, if not most importance, — the residence or occasional visit of an accredited Minister at the capital, and the free or even restricted navigation of the two great rivers of China, were not only in the judgment of Their Excellencies inadmissible, but could not even be discussed.

But it was with still greater regret that the undersigned was made aware that the just claims of his fellow-citizens, amounting relatively to a small sum, and open to the strictest scrutiny, for losses at Canton and elsewhere, were refused even the preliminary consideration he asked for them. This refusal he is bound at once to report to his Government.

Having now done all that lies in his power to induce Their Excellencies and the Government they represent to listen to friendly reasoning, the undersigned can do no more. The United States means still to be at peace with China, and her Representative is at hand yet to render good offices; but he begs to be understood that his ability to avert trouble from the empire is already materially diminished, and that no responsibility for the future rests on him.

The undersigned renews the assurances of his distinguished consideration.

William B. Reed.

May 11th, 1858.

(Washington.)

Dispatch No. 17 - Ex 35
May 15. 1858

Tan, Governor General of Chihli; Tsung, Superintendant of the Granaries; with Wu, Under Secretary of the Cabinet, now make a communication:

We have received Your Excellency's dispatch, in which you speak of the proper manner of receiving the Letter from the President, and also about the negociations upon two important points, in order to maintain amicable relations.

With referena to the first-named point we may remark, that we have already memorialized and received His Majesty's pleasure, permitting us to send up the same for you. We accordingly requested Your Excellency to carefully transmit it to us, that we, on our part, may receive and then as carefully send it up to the throne. Our august Sovereign is very much gratified to learn this; and there certainly will be a reply. Your honourable country has never been a dependency of China; and why then need you have undue apprehensions [on this subject.]? — When we have received this Letter and have sent it up to Court, we shall, on obtaining the Will, again make another communication to you.

In respect to the several points which Your Excellency asked for and which we discussed at our recent interviews, we observe that those which are reasonable in themselves we will readily grant: for

instance, the provision which you propose respecting the mode of reckoning tonnage dues, by which a reduction is hereafter to be made, [on American ships,] is a very great advantage to them, and in granting it China has not the least feeling of regret at the concession. Such an act on our part towards you must be regarded as highly friendly and courteous.

Your Excellency now wishes further negociation on two very important points: one of them is that an accredited Minister of the United States shall either reside in Peking, or have the liberty of going there occasionally. We remark on this proposition that there is no such law now in force, nor has ever existed. The Consuls of the United States reside at the Five Ports, and if her Ministers have liberty to reside at, or occasionally visit Peking, there is no business constantly requiring the presence of an officer there. However, lest some unpleasant feeling should arise between ourselves, and we should err or fail in our treatment of you, whereby the present friendly relations between us should be jeopardied, we request that the old regulation [in respect to this point] may be observed.

As to the question of vessels entering the two great rivers in China, we further remark, that it is stipulated in the Treaties made and agreed to during the reign of Tau-kwang, that ships shall

not go elsewhere than to the five ports therein mentioned. This regulation was made at that time lest the stupid common people of this Empire, who have no knowledge, and are ready for any unruly change, could not everywhere be restrained before trouble should arise. How much more now, as no long space of time has elapsed since, is it undesirable to substitute a new regulation so soon! and we accordingly request that the former one may remain in force.

In relation to the refusal of this Government to make compensation for losses incurred at Canton, and elsewhere, we reply: — the fire in which that property was lost occurred through the difficulties caused by the English, and was not in consequence of anything done by the Chinese. In relation to other losses which merchants have suffered at various times, by plunder and fire, of their ships or goods, they ought, in compliance with the provisions of the Treaty, to have laid the particulars before our officers. A long interval has since passed, and we have no documentary proof of the cases, and no means of ascertaining the clear truth concerning them.

If Your Excellency desires to secure further the amicable relations between our

respective countries, and there are any other points which are likely to be of real advantage to them, we will not decline them; and now send this reply to Your Excellency. The present points also can be again brought up at another meeting between us, when a time for it shall be agreed upon.

A necessary communication; sent to

His Excellency W. B. Reed,

Envoy Extraordinary & Minister Plenipotentiary of the United States, in China.

May 13, 1858.

Translated by S. W. Williams

Rec'd 10. Aug.st Mr Derrick —

Official No. 18.

Legation of the United States
On Board the "Minnesota"
Gulf of Pechili. May 21st 1858

Sir

I regret to inform you that the hostilities, which I have so earnestly labored to avert, occurred Yesterday - the Allied naval forces of Great Britain and France having — assaulted and after a brief but very resolute resistance captured the Taku forts. Before referring in detail to this incident, I desire to resume the narrative of what has — occurred since my last despatch.

I then referred to a hope that there might be some concession on the part of the Chinese of the privilege of Ministers at Peking. It was founded on an informal communication made in writing to the Russian Minister and by him communicated to the other — — Plenipotentiaries that the Imperial Commissioner intended to memorialize the Throne on this very point and that the answer might be expected in a day or two. Now,

as

The Hon: Lewis Cass.
Secretary of State
Washington

as these Officials rarely venture to address the Emperor on matters about which his will is known to be formed, the very fact of the memorial going seemed to justify a hope. Both Lord Elgin and Baron Gros - especially the former, were inclined to be very hopeful of a favourable result.

In the interval, I determined, after full consideration, to cause the President's letter to be delivered to the --- Imperial Commissioner. Communication through an Imperial Commissioner is the mode recognised in the Treaty and was what I had claimed from Yeh in December last. Here, the Commissioner was not only ready to receive the letter in person, but solicited it, and gave the most explicit assurance that it should be acknowledged and answered. I concluded however, not desiring to multiply more ceremonial visits on shore, to send it; and for that purpose placed it in the hands of Captain Dupont and Mr. Williams, who, accompanied by a large escort of officers, on the 18th presented it in due form to His Excellency the Commissioner. It was received with marked respect and a new and, I have every reason to think entirely sincere, assurance given that an answer would be sent. The Secretary of Legation availed himself of this opportunity to initiate an informal conference with Tsien, , the Treasurer of this Province and a high and confidential officer

on

on the subject of a revision of the treaty, from which, had it not been suddenly interrupted I anquired very good effects. The correspondence as to the President's letter accompanies this despatch (Inclosures 1, 2)

This as I have said was on the 18th. on which day I learned from Count Poutiatine that the Emperor had refused to admit foreign Envoys at Peking (Inclosures 3, 4)

Early on the morning of the 19th I received from Baron Gros his communication (Inclosures 5 a b c) informing me that it had been determined to take possession of the forts, if necessary by force - that they would be summoned the next day and if not surrendered within two hours assaulted. Later in the day I received a similar communication from Lord Elgin (Inclosures 6 a b) I answered these communications and at the same time requested Mr Williams to suspend the informal conference in which he was engaged. (Inclosure 7)

I have nothing to add to my last despatch as to what I consider the false issue raised by the English and French Plenipotentiaries, my conviction being perfectly firm that a personal conference could have done no harm and might have removed the bitterness of feeling, hourly increasing, on the part of the Chinese officials which is now a great impediment to satisfactory negociation. There is you will observe in Lord Elgin's despatch to me a very frank acknowledgment

of.

of his sense of the efforts made by Count Poutiatine and myself to induce the Chinese to listen to reason. This acknowledgment is in strong contrast with his Lordship's implied condemnation of the same efforts a week before.

For the incidents of yesterday I must, in the short time before the departure of the mails, refer you to the official account of the British and French Commanders which no doubt will be made public. The resistance though clumsy was vigorous and resolute, the firing from the forts continuing for nearly two hours when parties landed from the ships and terminated the conflict. The loss of the English was very slight; that of the French ~~very~~ severe - the aggregate being — positively and relatively much greater than at Canton. Many were killed by accidental explosion. The loss of the Chinese is not known with accuracy but it is not thought to be heavy, though they fought their guns with no little intrepidity. I append to this despatch a letter which I thought it my duty to address to Captain Dupont, giving my views as to the protection of the chartered Steamer at anchor within the bar. No accident happened to her.

These forts, being it is understood, the only fortifications on either the River or Canal, the way to the Capital is now open. If I understand Lord Elgin's views as expressed in his letter of the 19th, as well as in repeated conversations, no further hostilities

except

except for actual self defence are thought of. The capture of the forts, the allied Plenipotentiaries persuade themselves was a military necessity, and here warfare ends, for there is a pregnant intimation in Lord Elgin's letter that, this appeal to the fears of China failing and no duly accredited Minister meeting him, he will suspend action here and await fresh instructions from his Government.

I feel very sensibly the embarrassment of my own position and have not yet committed myself to any avowed assurance of the course I shall pursue.

Did I now see or should I hereafter detect any evidence of the initiation of elaborate military operations here, I adhere to my determination to withdraw and give no countenance to such a career of wrong. But to do so now seems to be precipitate

To the wishes and opinions of the English and French Ministers, I am of course bound to yield no other deference than is dictated by my high personal regard, and their consonance with the policy and interests of my country. But the views of His Excellency the — Russian Minister who has, from first to last, steadily cooperated with me in my efforts at pacification, I am bound to regard with much more deference. His views are stated in his letter to Lord Elgin of the 19th, which he sent me a copy of yesterday (Inclosure 8a6) Besides, another consideration is powerfully operative

with

with me. The Chinese consider us as their friends and do not wish us to withdraw. Less than an hour before the beginning of the bombardment yesterday a messenger came to Mr Williams, then on board the Antelope, begging him to renew conference with them - and to day, amid the fresh ruins of the forts, a Chinese officer of rank has visited the Russian Minister and myself soliciting further good offices on our part and begging for our efforts to procure a suspension of offensive operations for three days, until the will of the Emperor be communicated since the events of yesterday were known.

These are inducements to us as neutrals and friends to remain and follow the other Plenipotentiaries up the River, and to these inducements I am much inclined to yield. Whatever may be my final decision I shall take care to do nothing that by the severest criticism, shall be considered a departure from the well ascertained policy of the Government or inconsistent with the course of individual action which from first to last, I have endeavoured to pursue in China

Commodore Tattnall not having arrived here, I have felt myself authorised to request Captain Nicholson to proceed to morrow with despatches to Shanghai and should the hostilities of yesterday lead to any outbreak at

that

that place, the Mississippi will be there to render any assistance.

I have the honour to be
Sir
Your obedient Servant.
William B. Reed

all of the enclosures

Index to Dispatch No. 18 — Gulf of Pichili, May 21. 1858

From	To	Subject Matter	Date
Jan	W B Reed	Sends copy of Imperial rescript about the reception of Presidents letter	16 May 1858
W B Reed	Jan	Transmits the Letter by hands of Capt. Dupont	18 " "
Portiatine	W B Reed	Emperor refuses to allow foreign ministers to go to Peking	17 " "
W B Reed	Lt. Portiatine	Shall continue to coöperate	19 " "
Lieut	W B Reed	Refuses to treat with Jan, and shall go on up towards the capital	19 " "
Do.	Jan	Reasons for rejecting him as Commissioner	20 " "
Admiral		Summons to forts to surrender in 2 hrs	19 " "
Lord Elgin	W B Reed	Reasons for refusing to acknowledge Jan as having full powers to treat	19 " "
Do	Jan	Reasons for rejecting him	20 " "
W B Reed	Lord Elgin	Agrees to go on with him up the river	19 " "
Portiatine	W B Reed	Inclosing his reply to	
Do	Lord Elgin	Agreeing to proceed with him up river	19 " "
W B Reed	J F Dupont	Wishes him to prevent officers of the Antelope from returning shot	19 " "

Tan, Governor General of the Province of Chihli, Pqung, Superintendent of the Granaries, with Wu, an under-secretary of the Privy Council, hereby send a communication.

We have already acknowledged Your Excellency's communication in which you inquired how the letter from the President of the United States would be received and forwarded. We then made the same known to His Majesty, and received permission for us to take and transmit the letter on your behalf, directing us still to await a reply.

We have now been honored by the Imperial Will, as follows: — "The regulations of the "Celestial Empire are, for those countries which "do not bring tribute to our court, that if a "correspondence happens to arise between us "and them, a fixed rule is to be observed; they "are not to be treated with disdainful hauteur, "but in the form in which their letter comes "so must the answer be returned from us. There "is not the least cause for doubt or hesitation on "their part. This from the Emperor".

As is proper, we respectfully copy

His

His Majesty's reseript, and now send it for Your Excellency's information.

A necessary communication sent to His Excellency William B. Reed

Envoy Extraordinary and Minister Plenipotentiary of the United States to China.

May 16. 1858

Translated by S. W. Williams.

Dispatch No: 18. Ex. 2
May 21. 1858

The Undersigned Envoy Extraordinary and Minister Plenipotentiary of the United-States of America having received from their Excellencies Tan, Imperial Commissioner and Governor General of Chihli, Tsung Superintendent of the Granaries and Wen, Under Secretary of the Cabinet their replies of the 13th and 16th inst, in which give a solemn assurance that a letter which the Undersigned has from the President of the United-States to His Majesty the Emperor of China will be received on terms of equality – the United-States being no tributary of China but a great and Independent Nation – and that there will be a reply, now has the honour to transmit the same to be sent to the Emperor. He sends it to their Excellencies by one of the highest officers of his Nation who is directed to place it in the hands of His Excellency Tan, the Chief Commissioner.

The Undersigned deeply regrets the unfortunate hostilities which threaten to interrupt the friendly intercourse which he hoped to have with their Excellencies. They are he fears inevitable

William B. Reed

May 18. 1858

Despatch 18 - Enc. 3
May 21. 1858

St. America. in the river Peiho
May 17th 1858

Sir,

The Governor General Tan has just sent a Mandarin to tell me that the Emperor refuses to admit foreign Envoys to Pekin. I have communicated this intelligence to Lord Elgin and Baron Gros; it makes them free to act as they think proper and the hostilities, if they are not carried farther than Ta-Koo, may be necessary to produce a salutary effect on the Court of Pekin,

With assurances of high consideration and esteem,

I have the honour to be
Your Excellency's
most humble Servant
C. Poutiatine

His Excellency
The Hon.ble W. B. Reed
Envoy Extraordinary &c &c &c

Dispatch 18. Ex. 4
May 21. 1858

Legation of the United States
On Board the "Minnesota"

May 19. 1858

Monsieur le Comte,

Our repeated conversations and the frank intercommunication of opinion which we have had seem to render unnecessary any other than a formal acknowledgment of the receipt of Your Excellency's letter of the 17th informing me of the decision of the Emperor as to the reception of foreign Envoys at the Capital. I deeply regret this result, leading as I fear it must to an interruption, by others, of the peaceful relations which we have so long sought to maintain between China and the Western powers

I beg to assure you that in consonance with my instructions and my own feelings I shall continue to act in entire concert with Your Excellency, our duty as pacificators I hope not being yet exhausted - so long as it is agreeable to you

I have the honour to be

His Excellency Monsieur le Comte Your Excellency's
Monsieur le Comte Pontiatine. humble servant
Imperial Commissioner W. B. Reed

Dispatch 18. Exh. 5a
May 21. 1858

Mission Extraordinaire de France en Chine,
à bord de l'"Audacieuse", le 19 Mai, 1858.

Monsieur le Ministre,

J'ai reçu avant hier, dans la journée, la communication que Son Excellence M. le Plénipotentiaire de Russie m'a fait l'honneur de m'adresser pour me faire connaître que le Empereur de la Chine avait rejeté la proposition qui lui avait été faite d'admettre temporairement des agens diplomatiques étrangers dans Pékin; et cette fâcheuse détermination prouve que le Gouvernement Chinois est encore loin de comprendre la position périlleuse dans laquelle il se trouve.

Nous avons cru cependant, Lord Elgin et moi, que toute tentative d'arrangement ne devait pas être encore abandonnée. Les instructions de mon Gouvernement m'autorisent, si je le juge opportun, à remonter de concert avec mes collègues aussi haut dans la rivière du Pei-ho que la navigabilité de ses eaux me le permettra, et résolu à ne plus perdre un instant, j'enverrai demain matin aux Commissaires Impériaux la dépêche dont je joins ici une copie pour Votre Excellence. Elle lui fera connaître la marche que nous croyons devoir suivre, Lord Elgin et moi, et dont nous avons parlé à Votre Excellence pendant la conférence fortuite qui a eu lieu hier à bord de l'Audacieuse entre les quatre Plénipotentiaires,

à Son Excellence Monsieur W. B. Reed,
Envoyé Extraordinaire et Ministre Plénipotentiaire des
Etats Unis d'Amérique, en Chine, &c &c &c

ce qui permettra à Votre Excellence de prendre telle détermination qui lui paraîtra convenable. Votre Excellence comprendra facilement que l'occupation des forts qui commandent l'entrée de la rivière, soit qu'on puisse s'y établir à l'amiable du consentement des autorités Chinoises auxquelles on le demandera, soit qu'il faille les prendre par suite d'un refus, est une opération préliminaire indispensable avant de remonter plus haut. Il ne serait pas possible de pénétrer dans la rivière en laissant derrière soi une porte qu'il serait si facile de fermer! Une sommation des Amiraux sera donc remise à Tan en même temps que ma dépêche et un très court espace de temps sera accordé pour recevoir une réponse.

Je joins ici une copie de cette sommation.

Ces voyages de Canton à Shanghaï, de Shanghai au Pei-ho, et du Pei-ho plus loin, sont autant de pas dont chacun nous rapproche de la Capitale et ajoute ainsi à la pression que nous cherchons à exercer sur le Gouvernement Chinois. Cette marche en avant finira peut être par lui ouvrir les yeux sur les dangers qui le menacent et dont toute la responsibilité doit retomber sur lui s'il persiste dans son aveuglement.

J'avoue cependant à Votre Excellence que je le désire plus que je ne l'espère!

Veuillez agréer, Monsieur le Ministre, les assurances de la haute considération avec laquelle j'ai l'honneur d'être

de Votre Excellence,

le très humble et très obéissant serviteur

Bon Gros.

Dispatch 18. Encl 5
May 21. 1858

Le Baron Gros aux Commissaires Impériaux, Tan, Tsoung, et Ou.

À bord de l'"Audacieuse", le 20 Mai, 1858.

À Tan, etc., Tsoung, etc., Ou, etc.

Le soussigné a reçu il y a quelques jours déjà la lettre que LL. EE. lui ont fait l'honneur de lui écrire, en réponse à celle qu'il leur avait adressée le 5 de ce mois au sujet des pouvoirs dont ils auraient dû se trouver revêtus pour être à même de négocier avec lui.

Cette réponse n'est pas satisfaisante, et le soussigné allait cesser toute communication avec LL. EE. lorsque, par l'entremise du Commissaire Impérial Russe, il a reçu des ouvertures qui pouvaient lui donner l'espoir qu'un arrangement à l'amiable allait enfin avoir lieu.

Par ces propositions le Gouvernement Chinois paraissait vouloir consentir à ouvrir quelques nouveaux ports au commerce étranger.

Il se serait occupé des indemnités dues aux étrangers qui ont éprouvé des pertes lors de l'incendie et du pillage des factoreries par la populace de Canton.

Il aurait protégé en Chine le culte Chrétien en accordant la liberté de conscience aux sujets de l'Empereur, et en permettant aux Missionnaires Chrétiens de faire entendre avec sécurité dans toutes les parties de l'Empire sa morale divine qui tend à rendre les hommes vertueux, et les exhorte à la charité, à l'amour de leurs semblables, et au respect de l'autorité de l'Empereur.

Enfin, ne voulant pas consentir à la résidence permanente des agents diplomatiques étrangers dans la Capitale, ainsi que cela se pratique chez toutes les nations civilisées, il aurait proposé de demander à l'Empereur que ces agens fussent, au moins, se rendre, à leurs frais, à Pékin, pour y traiter directement avec les Ministres de l'Empereur les

affaires

affaires qui auraient nécessité leur haute intervention lorsque les circonstances l'auraient exigé.

Confiant dans les paroles qui lui étaient ainsi transmises de la part de LL. EE., le soussigné a cru pouvoir suspendre sa réponse jusqu'au moment où la dernière proposition, celle relative à une clause qui plus que toutes les autres était de nature à établir la paix et à la maintenir pour toujours entre les deux nations aurait reçu une solution favorable. Et, si cette clause eut été admise, si les autres propositions eussent été sérieuses, le soussigné aurait peut-être consenti, de son côté à se départir un peu de ses premières demandes. Un arrangement à l'amiable aurait prévalu, et après les ratifications du nouveau traité, les troupes françaises auraient évacué Canton pour remonter sur leurs navires.

Malheureusement, une nouvelle communication de Mr. le Commissaire Impérial de Russie annonce au soussigné que la clause dont il s'agit a été rejetée à Pékin, et, dès-lors, il ne songe plus aux concessions qu'il aurait peut-être faites, et il déclare à LL. EE. qu'il reprend tous ses droits et ne peut que s'en référer au contenu de sa lettre du 5 de ce mois, avec cette différence cependant que ne voulant pas abandonner encore tout espoir, au lieu de suspendre l'action diplomatique, comme il l'avait annoncé, il la fait appuyer seulement de mesures sévères que l'aveuglement du Gouvernement le force à prendre.

Il a donc l'honneur d'informer les nobles Commissaires Impériaux que, pour obéir aux ordres de son Gouvernement, il va se rapprocher encore de la capitale de l'Empire pour y attendre

que

que des plénipotentiaires dûment autorisés à traiter avec lui viennent le rejoindre où il se trouvera.

L'article 30 du traité de Whampoa donne aux bâtimens de guerre français le droit d'entrer dans tous les ports de la Chine, et le soussigné usant de ce droit va remonter la rivière du Pé-ho, de concert avec l'amiral qui commande les forces navales de la France qui sont en ce moment dans le Péchéli, ou qui y sont attendues, et qui ne laisserait pas impunis toute insulte faite au drapeau de la France.

Que LL. EE. écoutent donc sérieusement les paroles que le soussigné et l'Amiral leur adressent aujourd'hui. Elles sont encore amicales quoique sévères, puisque le Gouvernement Chinois nous a forcés à en venir là. Mais si le moindre outrage commis contre le drapeau de la France, que la responsibilité toute entière en retombe sur ceux qui dans leur aveuglement auraient osé s'en rendre coupables.

Cette communication est d'une haute importance.

Pour copie conforme.

Bon Gros.

Dispatch 28. Ex 5c
May 21. 1858

Sommation des Amiraux.

20 mai, 1858.

Leurs Excellences les Ambassadeurs d'Angleterre et de France ayant pris la résolution de s'avancer sur la Capitale pour traiter avec le Gouvernement Chinois, les Amiraux Commandant les forces navales de France et d'Angleterre sont dans l'obligation, pour garantir la sécurité de Leurs Excellences, d'exiger que le Commissaire Impérial leur remette les forts des deux rives du Pei-ho, et la batterie qui se trouve au coude de la rivière. Si dans deux heures les forts ne sont pas remis aux Amiraux, ils seront attaqués et pris. S'ils sont remis de plein gré aux Amiraux, ils s'engagent, les négociations finies, à les restituer au Gouvernement Chinois sans détruire ni les murailles, ni l'artillerie.

Pour copie conforme.
Bon Gros.

Dispatch 18. Encl 6
May 21. 1858

H. M. S. Furious

Gulf of Pechelee. May 19th 1858

Sir,

It is with very great regret that I have to inform Your Excellency that the result of the endeavors which I have made in conjunction with Baron Gros to satisfy myself as to the nature and extent of "Tan's Powers," and the "Bona Fides" of the Court of Pekin, in appointing him to treat with me, has brought me to the conclusion that nothing but delay and disappointment are likely to result from an attempt to open negotiations with him at this place.

I need not recapitulate to Your Excellency the history of these endeavours as you are already familiar with it - but I cannot refrain from expressing my acknowledgments to your Excellency for the exertions which you have made to bring the Chinese Authorities to more reasonable sentiments.

Deeply

His Excellency
The Honble W. B. Reed
&c &c &c

Deeply impressed however with the importance of settling the differences now subsisting between Great Britain and China, and obtaining securities against their recurrence at the earliest possible period, I consider it to be my duty, before abandoning the attempt for the present and applying to my Government for fresh instructions, to make a further appeal to the Court of Peking from some point nearer to the Capital.

This decision which I have taken in concert with Baron Gros is perfectly consistent with the course which I have hitherto followed in my endeavours to open negotiations with the Chinese Government, and with the language of any successive communications to the Court of Peking, copies of all of which are in Your Excellency's hands.

It is proper however that I should inform Your Excellency that the Commander in Chief of the Naval Force of Great Britain in these seas, whose authority on such a point is of course conclusive with me, declines to permit the Vessels under his command to ascend the River towards Tientsin while the Forts at its mouth remain in the

occupation of Chinese troops. He will therefore, as a preliminary measure, in concurrence with the Commander in Chief of the French Naval Force, summon the Commander of the Forts to deliver them temporarily into his hands, on the condition that they shall be returned to the Chinese Government when the negotiations in which the Plenipotentiaries are engaged shall have been satisfactorily concluded. Should this summons be disregarded, he will take them by force.

I have already had the honour of communicating to Your Excellency so fully in conversation the general views of Policy by which I have been guided in determining on this mode of proceeding, that I do not think it necessary to enter at length upon this branch of the subject on the present occasion. It has been a matter of unfeigned gratification to me to believe that the sincerity of my desire to pursue a moderate course in my relations with the Chinese Government, has been appreciated by Your Excellency. I shall therefore close this letter with the assurance that, notwithstanding the greater stringency of the measures which the inaccessibility and impracticability of

of the Court of Peking impose on me in this instance, I shall present myself in the River or at Tientsin with the same earnest desire to arrive at a pacific settlement of existing differences and the same readiness to accept reasonable terms of accomodation by which I have been actuated in the successive endeavours to open negotiation with the Chinese Government which I have already made in concert with Your Excellency.

I have the honour to enclose herewith the copy of a note which I propose to send to "Yeh" at an early hour to morrow. May 2

I have the honour to be

Sir,

Your Excellency's

most obedient

humble servant

(Signed) Elgin & Kincardine

Dispatch 15 - Enc. 6
May 21. 1858

The Undersigned had the honour to address a letter on the 11th Inst. to the Imperial Commissioner "Yan"

The Undersigned therein informed the Commissioner that being invested by H.B.M. with Plenipotentiary Powers, he could not consent to treat with a representative of the Emperor of China who did not hold from His Imperial Majesty corresponding authority as a negotiator.

The Undersigned further enclosed to the Commissioner in that communication the copy of a Decree taken from the Records and bearing date the 27th of July 1842 in which the Powers conferred by His late Majesty upon "Kiying" and Elipoo when he appointed them His Commissioners to treat with Sir H. Pottinger were fully set forth; and he intimated to the Commissioner that he had determined on according him a delay of six days to enable him to obtain Powers similar to those granted to "Kiying" and "Elipoo"

The Undersigned at the same time took occasion to express his sincere hope that this additional evidence of his desire to avert the evil which persistance in an evasive Policy could not fail sooner or later to entail on China, might be duly appreciated by the Impl. Govt

Upon the 11th Inst. he received from the Commissioners "Yan" "Tsung" and "Wu" a reply to the above mentioned letter

Without dwelling on the contrast which the tone of this Reply presents to that of the letters addressed in a similar case to Sir H. Pottinger, it is enough for the Undersigned to observe that he can only draw from it, the inference that his reasonable demand for the evidence of the sufficiency of the Powers conferred by the Emperor on the High Officer appointed to treat with him, has been refused by His Imperial Majesty.

The Undersigned forbore for some days from taking the steps warranted by this refusal in consequence of a friendly communication which he received from the —— Plenipotentiary of Russia and which led him still to hope that this deficiency in the Plenipotentiary Powers of the Impl. Commissioner might be in some degree remedied by Instructions ample enough to enable him to treat upon the several subjects detailed in the letter of the Undersigned to the Chief Secretary of State "Yu-Ching" of the 11th of Febr. In this hope he has been disappointed. A late Commun. from Count Pontiatine has but strengthened his conviction of the futility of any further attempt to open negotiations at the mouth of the Peiho.

In pursuance therefore of an intention already announced in his letter of the 1st of April to the Chief Secretary "Yu-Ching" which like its predecessor, has been left without reply, he has resolved to place himself in more immediate communication with the High Officers of the Impl. Govt. at the capital. For this purpose he is

about

about to move up the River towards Tientsin.

As a preliminary measure it will be requisite that the Forts at the mouth of the Peiho be placed in the hands of the Commanders in Chief of the Allied Force - Their Excellencies will signify the time within which the Imperial troops will be called on to evacuate these works. The Forts once in possession of the allied Force, the Undersigned will ascend the River, trusting that the Impl. Govt will without further delay admit the — expediency of appointing a duly qualified Representative to meet him.

W. M. S. Furious

May 20. 1858.

(Signed) Elgin & Kincardine.

Dispatch 18. Enc 7
May 21. 1858

Legation of the United States
"Minnesota". May 19. 1858

My Lord,

I have the honor to acknowledge the receipt of Your Excellency's despatch of to day with its Enclosures, and with Your Excellency deeply regret the necessity which compels you to adopt the course you have indicated. I avail myself of this opportunity to renew the assurance of my conviction of the sincerity of Your Excellency's desire to pursue throughout a moderate course in your relations with the Chinese Government, and should hostilities yet be averted, as we all hope they may, I shall be most happy to unite with Your Excellency in a new and nearer appeal to the Court of Peking, and to continue that peaceful cooperation which my Government so much desires and which I need not add is most agreable to me.

I have the honour to be
My Lord, Your Excellency's
most obedient, humble servant
William B. Reed

His Excellency
The Earl of Elgin &c &c &c

(A similar note sent to Baron Gros)

Dispatch 18. Encl 8
May 21. 1858

St. America in the River Pecho
May 19th 1858.

My Dear Sir,

In answer to the communications sent to me by Lord Elgin and Baron Gros, I forwarded to the first a note, the copy of which I inclose herewith for your perusal and a similar one to Baron Gros.

I am, my dear Sir
Yrs. truly
(Signed) C. Portalatine

His Excellency W.B. Reed

Dispatch 18 - Enc. 8
May 21. 1858

Str. America in the River Peiho.
May 19th, 1858

My Lord,

I cannot but be grateful for the detailed communications that you did me the honour to forward to day, as well for the acknowledgment of my late exertions in persuading the Chinese to yield to our general demands - Though these efforts proved unsuccessful, I am ready, as I have stated more than once, to follow your Lordship up the River Peiho, whenever you move in that direction and to use again my endeavours and give every moral support in conformity with my instructions, to promote a pacific arrangement of the present affairs in China.

I have the honour etc.

(Signed) Count Poutiatine

His Excellency the right honble
the Earl of Elgin & Kincardine
&c &c &c

Dispatch 18. Exh. 9
May 21. 1858

United States Legation
Minnesota. May 19th 1858.

Sir,

I beg to inform you that I have this morning received official notice from their Excellencies the French and English Plenipotentiaries that to morrow a final summons will be sent to the Chinese Military Commissioners to surrender temporarily the Taku forts and that on a failure to do so within two hours they will be assaulted and taken.

You are aware that the chartered steamer "Antelope" which I have used for this Legation during the preliminary negociations with the Chinese Authorities in the River is, with the Russian steamer "Amerika", at anchor within the bar which she cannot recross at the present state of the tides. It seems to me very important not only that the vessel should be as far as possible protected from accidental injury in the event of sudden hostilities but that

Captain T. F. DuPont
U. S. S. Minnesota

that her officers and crew should be put under such controul as to prevent any participation in a conflict in which we have no part whatever. I hope you will take measures to that end, and should you find it necessary to exercise the controul to which I have referred, through the agency of officers and men from this ship, I beg it to be understood that under no circumstances (except what is most improbable, a wanton attack, imposing a necessity of actual self-defence) must there be any violation of our absolute neutrality. For these instructions which I make in the most emphatic terms I assume the whole responsibility.

I have the honour to be
Sir,
Your obedient Servant
William B. Reed

Rec'd Sept. 1858

Legation of the United States
On Board the "Minnesota"
Gulf of Pechili May 29th 1858

Official
No. 19.

Sir,

I had the honour yesterday of receiving your Despatch No. 10 of the 17th February, inclosing for my consideration a Paper on Chinese finance, currency and diplomacy, prepared by the late Consul at Shanghai. Mr Murphy's communication shall have due attention. I must be permitted to observe that it is with much regret I find myself compelled to file in the Archives of the Legation, a paper reflecting indecorously and I think most unjustly on the official conduct of my predecessor Mr. Parker.

I have handed the document to the Secretary of Legation, Mr Williams, whose opportunities of observation are greater than those of any Stranger now in China and who is perfectly disinterested. He has kindly prepared me a

How: Lewis Cass
Secretary of State
Washington

a brief memoir on the Subject which I forward as well as a printed paper written by an intelligent American Merchant of Shanghai.

I am left to infer that my Despatches since No. 3. of the 18th November, which is the last acknowledged, have not reached the Department.

I have the honour to be
Sir,
Your obedient Servant
William B. Reed.

Minute in reference to Wm Murphy's letter of Jan. 9: 1858

The introduction of a gold ingot into the currency of China forms the principal topic of this paper, which also suggests the insertion into the proposed new treaty with this Government, a stipulation that this form of bullion prepared in the United States shall be taken in payment for duties and in commercial transactions when the amount exceeds 100 taels. The probable advantages of this concession are stated, and the ultimate results likely to flow from it by diverting the American trade with this Empire out of its present channels are set forth, and become further arguments in favor of making the attempt.

In estimating the probabilities of the success of such a measure, even if it could be introduced into a treaty, Wm Murphy seems to have given too little weight to the habits of the Chinese people. He speaks of their "singular prejudice" for some dollars, for which they are willing to pay "as high as 60 per cent.," but he does not state what this premium is upon, which renders his deductions less pertinent. If he refers to the premium which Carolus IIII dollars bore over Mexican dollars at Shanghai two or three years ago, that state of things was merely a local matter, and has now altered even at that port, the two sorts passing for nearly the same amount of copper cash, which is the ultimate standard of value in respect to the people at large. The rates of exchange for silver at

the

the open ports do not affect the internal trade of China, which is carried on by copper cash and silver bullion. The Chinese Government has made several local and unsuccessful attempts to introduce a silver currency, but the dishonesty of both officials and people is so great, and the coins have been tampered with so soon, that they have all failed; the same cause prevents the circulation of government paper money throughout the empire.

The prejudice in favor of particular silver coins grows out of trial made of their purity, which the people trust in by their effigies only after long experience, and without assaying each coin. They are willing to take Republican dollars on the same termes as Spanish, as soon as they are convinced that they are equally pure; but until this is generally the case, the latter bear a high premium, and those natives and foreigners who are in a position to derive a benefit from the exchange probably delay this equalization by their efforts to make their own profit. At present, the premium for Carolus dollars over Mexican along the coast is less than it was two years ago, and probably never will be higher. Over these fluctuations the Chinese Government exercises no control or interference, for its own duties and salaries are all paid and reckoned in sycee. To induce it to change that for gold bullion, or allow gold to be received like silver,

would

would require a greater force than a treaty stipulation, it would need the coöperation of the people. The real difficulty is that the Chinese, unlike the Japanese and Hindus, have never adopted a gold currency, and only know the metal for gilding and other useful purposes; so that until they become acquainted with the purity of the gold coins brought to them, whether they be a new ones made by their own emperor, or the sovereigns, eagles, or doubloons brought from abroad, they will not take them in payment for their produce.

In the vicinity of Hongkong and Canton, the circulation of sovereigns is constantly extending, just as rapidly as the people find that they pass, and so is that of the notes of the two banks in Hongkong, and precisely for the same reason – they are both readily convertible into silver; and their confidence in them is increasing. No law is made to regulate them, for the native government has nothing of the sort to compete with them; but no law could oblige the people to take them, nor would any ordinance of itself make them take gold ingots, as a currency. The circulation of the gold coins of western nations in China, like that of their silver ones, will be gradual, and correspond to the extension of trade; though it is not likely to be as rapid.

If the Chinese Government sees its way clear to establish a mint of its own under the direction

rection of foreigners, a gold and silver currency may be more rapidly introduced, and the demand for gold from abroad will increase; but even then the people will ask for time and experience of their purity. Notwithstanding the immense influx of dollars into China, their circulation is still very limited throughout the empire, by far the greater part being melted into sycee. Copper cash are cast in each province for its own use, whose weight and purity vary greatly, so extensively is even this base and cheap coin adulterated.

The views of the Chinese Government as to the introduction of gold in payment of duties are stated in the reply of Tsunglun to Wm. McLane at Taku in 1854 (See Dispatch No. 20 Exh. C. Nov 19. 1854.) Further information is contained in the Chinese Commercial Guide, 4th Ed. passim.

S. Wells Williams

Copy.

Lady Mary Wood.

SHANGHAE, *5th November*, 1856.

MY DEAR DR. PARKER,

IN accordance with your request, I send you the views which are entertained with a good deal of unanimity by American merchants here upon the subject of a mint, and the greater part of which were expressed by one or the other when we you on Saturday evening.

First, with regard to a Chinese Imperial mint.

If the Ministers of the three Treaty powers agree to make the proposition on the only basis on which the establishment d be of any advantage, it seems scarcely possible that the Emperor would accede to it, especially as it can only be urged as a and expedient measure for him to adopt, not one that the foreign powers can demand. To be effectual, the Ministers must ire that the mint should be under the actual control of foreign managers. The only condition on which the people generally d give confidence to the coin, would be the guarantee that foreign managers should have control. Therefore the Emperor be asked, not only to debase himself in foreign eyes by giving the control of this seignorage to foreigners because there is not ity enough in his administration to save it from corruption otherwise, but actually to promulgate his shame to his own people! y may already know the fact but for him to own it would be a vast step further.

We therefore feel that such an article would never be added to the Treaty, even if the foreign Plenipotentiaries, when they e to look into the details of what would be required of them, could be induced to join in urging it. They would, of course, have objection to a general proposition that the Emperor should establish a mint, but when they were brought to consider that they d be obliged to guarantee its integrity, to take the whole responsibility of its erection and government, and bear the obloquy of re if political convulsions overthrew it after being established, they would, we fear, hesitate before committing themselves and r governments to such grave responsibilities.

Beyond these points however there is still another of even greater moment, and that is whether it is expedient to present matter to the Chinese government at all.

Next to unblemished character for the coin to be issued, the great requisite is, its permanent supply. Is the present govern- t of China in a position to give any, the least, security for this essential requisite?

Its strongest supporter could not answer in the affirmative. It may be overthrown before five years have elapsed and that ch succeeds it may refuse to continue an arrangement which could not fail to be distasteful to any energetic and self-reliant power. ther, even if it kept its present place, a coin issued under its authority would be debarred from circulation in a very large and very itful part of the Empire, now in possession of the rebels and likely to remain so. All acknowledge that any new coin must be oduced with difficulty and effort, and effort would be paralyzed on behalf of one which we should feel lacked the essential element nfailing supply.

With regard to the establishment of a mint at Shanghae by the three Treaty powers without connection with the Chinese ernment, consideration has convinced us that it could never take place.

Apart from the obvious considerations of the inconvenience and embarrassments which would arise if hostilities should in the se of years break out between any of the partners in the business, and the unlikelihood that so delicate an affair could be carried through a long course of time and in so distant a quarter, without dissensions arising which would break up the establishment, we st consider the probabilities of those powers being willing to engage in such an enterprise.

There is no encouragement to hope that they would, if we believed such an arrangement desirable. The outlay for cost of ildings and machinery would be considerable, and our government, for one, would hardly be induced to make an appropriation of obably 100 to 150,000 dollars for an undertaking from which it would receive no direct advantage, to which it is not pressed by essity, and the accomplishment of which would bring no eclat to those under whose administration it was carried out.

At the present moment, this port is in pressing need of a Consular jail which would cost possibly 3,000 dollars. The honor the government is concerned to provide one, for without it the conditions to which it has bound itself by Treaty cannot be fulfilled. t the eloquence of a succession of Ministers and Consuls has been exerted in vain to obtain this trifling appropriation.

Overshadowing this difficulty, however, is the absolute certainty that no one of the three governments would think of com- tting themselves to the responsibility of guaranteeing and supporting a mint on the other side of the globe, and on the soil of still ther power. We all know with what anxious consideration all governments contemplate the extension of their coining establish- nts within their own dominions, and we cannot with any reason count upon their being willing suddenly to depart from their former stoms to enter upon an experiment, complicated by being the joint affair of three great and jealous nations, and so anomalous in lf that we almost feel as if the mere proposition would be received with ridicule.

The foregoing remarks sufficiently show that we have arrived at the conclusion that we cannot look for relief from the barrassments that press upon our trade, from any action on the part of the Chinese government. Those embarrassments are heavy d immediate, and while we would not seek to remove them by any expedient inconsistent with the permanent interests of our trade of our country, we are anxious that our aid should be given to any feasible plan, consistent with that condition, which promises an rly, effectual, and permanent remedy.

We think the establishment of an English mint at Hongkong will accomplish the desired end, and impressed with this belief, d that the issue and general use of an English coin will not give the English name any undue pre-eminence in this Empire, or any eater consideration than it already derives from the extent of its commerce, the display of its power and the energy of its policy, we ppose to address H. B. M.'s Superintendent of Trade upon the subject, adding our testimony to the importance of the measure, to at of our English fellow residents.

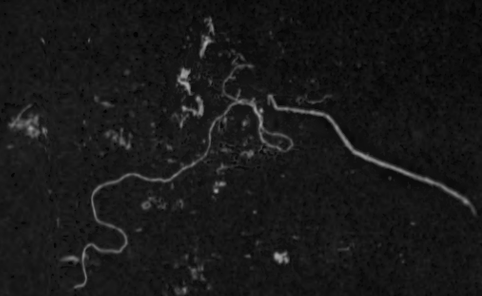
That such an establishment would be a great advantage to Hongkong we freely admit, and it would be a subject of gratification us, as I have no doubt it would be also to you, to see the prosperity of that important colony of Great Britain increased in any gitimate way. The merchants of the United States have found by the experience of many years that a gain to the commercial terests of England was also a gain to them, so liberal has been her policy, and so little advantage has she taken, in those respects, her greatly superior position in the Eastern world.

We feel assured that the influence of our own country will not be injuriously affected, for that influence must rest upon e solid basis of our power, and its extension and action in this quarter of the world through our commerce. When the time comes r her influence to be felt, a single determined action supported by a suitable display of strength, will, we believe, outweigh a hundred mes, any effect that could possibly be produced by the circulation of a coin of which nine-tenths of those who used it, would only now that it was foreign, without drawing the distinction that it was English.

I feel confident that your earnest interest in all that benefits your countrymen in China will lead you to approve of the easure we have adopted, after this narration of the motives and considerations that led to it.—I am, &c.

SIGNED BY ONE OF THE AMERICAN MERCHANTS OF SHANGHAE AND AN EXPRESSION OF CONCURRENCE ADDED BY ALL THE OTHERS.

Written by Edw Cunningham



Rec'd Sept. Mr Dennis

Legation of the United States

Official No. 20. Tientsin June 2nd 1858

Sir,

The opinion which I hazarded in one of my recent dispatches that an advance by military or other means on the Capital would be a failure has proved to be erroneous. There are now at anchor in front of this city and at the confluence of the Grand Canal and the river, seven armed Steamers, some of them with a draught of water of eleven feet, none of which had any difficulty except from the sinuosities of the Stream, in coming here. The distance from the bar to Tientsin by the river as nearly as it can be computed is sixty miles. The Russian Steamer America, in which, through the Kindness of Count Poutiatine, I made the passage, accomplished it at night, with one complete tide each way, in about twelve hours. The distance hence to Peking by the road, is estimated at twenty miles. The English gun boats advanced up the river about ten miles but the water then entirely failed them.

Thus has the perverse refusal of the Chinese to treat effectually at the mouth of the river dispelled

Hon: Lewis Cass
Secretary of State

dispelled another of the impostures which made their capital seem inaccessible, for you will bear in mind that Lord Macartney in 1793, Lord Amherst in 1816, and Mr Gutzlaff, who visited Tientsin in disguise, in 1831, came & were brought in the craft of the country; and that every body until now has acquiesced in the mistake that the bar and the shoals of the Peiho, made access thus far impossible. The English and French hydrographers are making full surveys of the river; and the effect will be, let the question of diplomatic residence at Peking be decided as it may, that hereafter any serious difficulty at one of the ports can promptly be settled by a visit here in a light draught steamer, and the question being brought directly to the attention of the Imperial Court.

I have the honour now to advise you of what has occurred since the date of despatch No. 18. On the morning of the 29th ulto. I was formally apprised of the intention of the English and French Plenipotentiaries to go to Tientsin, the rivers being reported by the admirals to be free from obstruction and no signs of hostilities being detected. Baron Gros' note to this effect is appended (Inclosure 6). From Lord Elgin I received a private note in which he expressed a wish that all the Plenipotentiaries should, as far as possible, continue to act in concert. I embarked on the evening of the same day on board the Russian Steamer with Count Poutiatine and

we

we arrived here early on the morning of the 30th.

The brief correspondence that has since occurred with the Chinese authorities is unimportant and is annexed to this dispatch. The material fact stated by it is that two new Plenipotentiaries are on their way from Peking. They have not yet arrived.

The approach of this large force to a point where no foreign ship, or foreign flag, except when carried in submission, was ever seen before, has produced great excitement and alarm. The last is rapidly subsiding and the uneasy excitement is changed into stupid and rather good humoured curiosity. There is no sign of resentment - certainly none to us the representatives of the peaceful powers. Business is very much suspended. The aspect of the neighbouring country, as far as we have seen it in coming up the river and in occasional walks on shore, is that of prosperous and well cultured fertility. The impression made by all else is very sad on any one who wishes well to China. The symptoms patent to every eye, are those of a disintegrated community, official authority perverted and corrupted, and a vast and morally inert population submitting patiently to wrong, and in its decrepitude awakening no sympathy. The means of resistance to foreign aggression really amount to nothing, and never have been more clearly shown than in the secure position of the English and French here at this

moment

moment. Since the forts were taken, not an armed man, nor a piece of artillery has been seen.

I have the honour to be

Sir

Your obedient Servant

William B. Reed

Index to Dispatch No. 20.
Tientsin, June 2. 1858

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Portuguese	Do	Purport of a message sent to Court informally	" 25 "
W B Reed	Yan	Desires answer to Presidents letter soon	" 28 "
Portuguese	W B Reed	Towards the last: and desires to start soon	" 28 "
Yan	Do	Earnestly desiring his mediation to make peace	" 28 "
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(Legation.)

Dispatch 20. Exh. 1a
June 2. 1858

Legation of the United States,
On board the "Minnesota".
Gulf of Pechili, May 25, 1858.

My Lord.

I have the honour to send to you the translation and copy of a communication sent to me last night by the Imperial Commissioners. — Captain Dupont, who brought it to me, says that a similar one was received by Count Poutiatine.

There seems a studied vagueness about the letter. The statement in it as to my remarks in the accidental interview on Friday, 21st. on board the "Amerika," is unintelligible to me, as I did not open my lips. I shall send no reply.

I have the honour to be.
My Lord,
Your Excellency's
most obedient, humble servant.
William B. Reed.

His Excellency
The Earl of Elgin and Kincardine,
H. B. M. High Commissioner, &c. &c. &c.

[The same to Baron Gros.]

Dispatch 20. Eqh. No 1
June 2. 1858

Tan, Governor General of the province of Chihli; Tsung, Superintendent of the Granaries; and Wú, an Under Secretary of the Privy Council, herewith send a communication.

We have to state that we deputed a special messenger yesterday to repair to the place where your Excellency was, there to inquire and collect information about the affairs of the two nations. From his report we ascertained that he saw your Excellency; and your remarks as to your desire for a reconciliation fully exhibit your friendly wishes and good intentions. But hostilities having now commenced with those two nations, the points upon which we before memorialized must be again made known, that the Imperial Will may be requested thereon: When it is received we shall be able to attend to and arrange them in accordance thereto. The interval will be only a few days, and we will then dispatch a messenger to see your Excellency, that you may repair to an interview, when we can consult together.

An important communication, sent to
His Excellency W. B. Reed,
Envoy Extraordinary and Minister Plenipotentiary
of the U. S. A. in China.

May 22, 1858.

Translated by S. W. Williams.

Dispatch 20. Eph. 1c
June 2 1858

H. M. S. "Furious"
Gulf of Pechelee, May 25. 1858

Sir.

I beg to thank your Excellency for the translation and copy of a communication from the Imperial Commissioner which you have had the goodness to send me in your letter of this day's date

I have the honor to be
Sir,
Your Excellency's
Most Obedient Servant
Elgin & Kincardine

His Excellency
The Hon W B Reed
&c &c

Dispatch 20. Encl. 2
June 2. 1858

St.r "America", May 25.th, 1858.

My dear Sir.

My communication from Tan and his colleagues appears to have the same vague character as yours. I spoke of it to the officer who brought the note, and told him my opinion how it would be best for the Commissioners to act in their present critical circumstances. The officer begged it should be put in writing, which was done in a memoir, without any address or signature.

The substance of this memoir contained that the foreign Plenipotentiaries will soon move to Tien-tsin, where proposals for negociations ought to be done on the part of the Chinese, without delay. The required full powers must be produced by the Commissioners, with the consent of the Government to receive foreign Envoys at Peking. The Court had nothing to fear from the appearance at the Capital of four Plenipotentiaries with small suite, — whereas, in declining to allow this, it must be prepared to see the Western Powers forcing their way to Peking.

Tan has lost his rank, but is not deprived of his functions. The Mongul Prince, Sen-wang, who fought with the Rebels at Tien-tsin, is ordered to repair immediately to that fort with 30,000 troops. There remain but few small guns at Tien-tsin, and no resistance can be expected.

If you wish to communicate this to Lord Elgin and

The Hon.ble W. B. Reed,
Envoy Extraordinary, &c. &c. &c.

Baron Gros. Will you have the goodness to explain to them, that from the vague nature of this last communication from Tien, I thought it not worth while to apprize them of it officially?

With much respect, my dear Sir,

Truly Yours.

C. Portialine.

Dispatch 20. Enc 3
June 2. 1858

The Undersigned, Envoy Extraordinary and Minister Plenipotentiary of the United States, has the honour to acknowledge your Excellency's communication of the 22d inst. which he regrets to say is very inconclusive and unsatisfactory. Friends ought to speak more clearly to each other. The Undersigned is fully aware of the unfortunate incidents, which having interrupted his personal intercourse with your Excellency, have in some measure accounted for the delay in answering the President's letter. He thinks, however that considering the gravity and importance of the communication, that he has a right now to insist on an answer, which may be sent either directly to him, or by the intervention of H. E. the Russian Minister. The Undersigned therefore reminds your Excellency of the solemn promise given that the President's letter should be answered on terms of equality and insists on its fulfilment.

The Undersigned, still anxious to render good offices to China, means to accompany His Excellency the Russian Minister on his nearer approach to the Capital of His Imperial Majesty, or to some intermediate place, where he may resume peaceful negotiations.

William B. Reed

To His Excellency Tan (with colleagues) Impl Commrs &c

U. S. S. Minnesota – May 28. 1858

Dispatch 20. Encl. 4
June 2. 1858

Str America May 28th 1858.

My Dear Sir,

I will send your despatch to the Chinese Commissioners by the first opportunity I shall have.

It seems difficult to explain why the Allied Plenipotentiaries are not moving up, when every reason ought to induce them to do it. We know that the Admirals have found a safe way and were at Tien-tsin some three days ago; if you could persuade Lord Elgin and Baron Gros not to lose time, it would serve the interest of all.

I trust we shall have the pleasure of seeing you on board the America, when we start up the river and that you will not decline our heartily proposed though very modest hospitality.

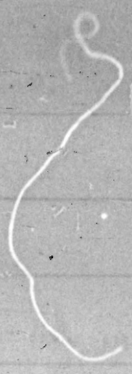
I beg to be Kindly remembered to Mr. Williams and your son and remain

My dear Sir

Truly Yrs.

C. Portiatine

H. E. Mr Reed



Dispatch 20. Encl 5a
June 2. 1858

Tan, Governor-general of the province of Chihli, Tsung, Superintendent of Granaries, and Wu, an under-secretary of the Privy Council, herewith make a communication.

Respecting the matters at issue between ourselves and the English and French, your Excellency having volunteered to speak of a reconciliation and amicable settlement, wherein was seen the probability of a harmonious agreement upon them, we were exceedingly pleased and put at ease. But now they have both come into the river, a procedure the results of which we cannot foresee: we, however communicate with your Excellency in the hope that you will have an interview with the high commissioners of those two nations, and come to an understanding on the points of a reconciliation with them, which will thus show the entire good feeling that exists between China and the United States. We certainly will not retract our words.

To His Excellency W B Reed.

Envoy Extraordinary and Minister Plenipotentiary of the United States to China

May 28. 1858

Dispatch 20. Ex. 56
June 2. 1858

Tan, Governor-general of the province of Chihli, Tsung, Superintendent of the Granaries, and Wu, an Under-secretary of the Privy Council, herewith send a communication.

We have this day been honored with the receipt of his Majesty's commands to the following effect:- "Let Kweiliang, a Cabinet Minister, "and Hwashana, President of the Board of Civil "Office, be appointed, and let them immediately "depart by post to the mouth of the Tientsin "(Pei-ho) river, to investigate affairs there. This "from the Emperor."

We have accordingly respectfully copied out these Imperial commands, and now send them to your Excellency

To his Excellency W B Reed,

Envoy Extraordinary and Minister Plenipotentiary of the United States to China

May 29. 1858

Dispatch 20. Enc. 5
June 2. 1858

Tan, Governor-general of the province of Chihli, Tsung, Superintendent of Granaries, and Wu, an Under-secretary of the Privy Council, herewith send a communication.

We have to acknowledge your Excellency's dispatch of the 28th inst., which we have fully examined. The letter from the President of the United States has already been sent up to Court, and as we had previously been honored with the Imperial Commands to do everything in the matter with courtesy, which we shall conform to, there certainly will be no mistake or disappointment. But the transmission of the reply to it has been delayed, and it will be necessary therefore to wait for its issue, when it will be in course transmitted to your Excellency to be received with proper formality. This will still further exhibit our friendly good wishes.

As your Excellency again makes the offer of your good offices in respect to the matters between us and the English and French, from which we fully perceive your good feelings, we request that you will have an understanding with the Russian Minister when you both reach

the intermediate place in this neighborhood, thus showing still further your amicable and peaceful intentions.

To His Excellency W B Reed

Envoy Extraordinary and Minister Plenipotentiary of the United States to China.

May 30. 1858.

Dispatch 20. Bibl. 6e
Tome 2. 1858

1

Mission Extraordinaire de France en Chine,
à bord de l'Audacieuse, le 28 Mai, 1858.

Monsieur le Ministre,

J'ai reçu la lettre que Votre Excellence m'a fait l'honneur de m'écrire le 25 de ce mois pour m'envoyer la copie et la traduction d'une dépêche que les Commissaires Impériaux lui avaient adressé, et à laquelle Votre Excellence n'a pas cru devoir répondre, tant elle était vague et peu facile à comprendre.

Je remercie Votre Excellence de cette communication, et je lui envoie, à mon tour, la traduction d'une dépêche que les Commissaires Impériaux m'ont fait remettre hier, a bord de l'Audacieuse, par un négociant Chinois que je crois être l'entrepreneur ou le surveillant des transports de riz que comprend le tribut Impérial envoyé à Tien-Tsin. Le négociant nommé Tsoung m'a remis en même temps une pétition dans laquelle il demande qu'on ne fasse sortir les jonques de la rivière qu'après qu'elles auront déposé leurs riz à Tien-Tsin.

Votre Excellence verra par la note, si singulière, des Commissaires Impériaux que le Gouvernement Chinois déclare qu'il n'a jamais voulu agir hostilement contre la France, et que puisque le négociant Tsoung veut arranger les affaires et que nous désirons mutuellement faire

A Son Excellence Monsieur W. B. Reed,
Envoyé Extraordinaire et Ministre Plénipotentiaire des
Etats Unis d'Amérique, en Chine, etc., etc., etc.

faire le commerce, les Commissaires Impériaux sont se rendre à Pékin pour solliciter de l'Empereur un décrèt qui les autorise à traiter immédiatement.

Cette note ne change rien à la position actuelle, et comme nous savons que les amiraux n'étaient plus qu'à deux milles de Tien-Tsin, et qu'ils sont peut-être aujourd'hui au delà, j'attends un rapport plus circonstancié que celui que j'ai reçu pour remonter bientôt la rivière et pour annoncer au Gouvernement Chinois mon arrivée devant Tien-tsin ou près de la ville, où je serais encore disposé à entrer en négociation avec des commissaires dûment autorisés à traiter avec moi, soit à terre, soit à bord de l'un des bâtimens français qui s'y trouvent.

Dès que les nouvelles que Lord Elgin et moi attendons du haut de la rivière nous arriverons, j'aurai l'honneur de les faire connaître à Votre Excellence, afin qu'elle puisse prendre, de son côté, telle détermination qui lui paraitra convenable.

Une lettre particulière, que je reçois à l'instant même de M. le Comte Poutiatine, m'annonce qu'il ne fera pas seul le voyage de Tien-tsin, comme le Gouverneur Tan l'y avait engagé, et qu'il se propose de remonter la rivière avec nous, lorsque nous aurons la possibilité de le faire.

Veuillez agréer, je vous prie, M. le Ministre, l'assurance de ma haute considération.

Bon Gros.

Ce n'est pas Tsoung que se nomme le négociant Chinois donc il s'agit il s'appelle Vang-Tche Tchoung.

B.G.

Dispatch 20. Exh. 6[2]
June 2d 1858

Tan, etc., Tsoung, etc., Ou, etc., font la communication suivante: —

Il est certain que l'intention du Gouvernement Chinois n'a jamais été d'agir hostilement à l'embouchure de la rivière contre votre noble nation, et comme le négociant Tsoung a cherché à arranger les affaires, nous avons appris que votre noble nation désirait toujours entretenir avec nous un commerce mutuel; et, comme nous n'avons en vue que la tranquillité du peuple, il est de notre devoir de partir pour Pékin et d'aller implorer l'auguste Empereur pour qu'il rende un décret qui permette de traiter les affaires sans le moindre délai. Mais l'entrée des bâtimens de votre noble nation dans l'intérieur de la rivière n'est pas convenable. Cependant, comme nous agissons envers tout le monde avec justice et bonne foi, nous envoyons ce négociant porter ce message à V. E.

Communication spéciale adressée à Ko, (le Baron Gros,) Haut Commissaire Impérial, nommé spécialement par le Grand Empire de France, Ambassadeur-Extraordinaire, muni de pleins pouvoirs, et Baron héréditaire.

Le 12e jour de la 4e lune de la 8e année de Hien-Foung.
(Le 24 Mai, 1858.)

Pour traduction exacte.

Bon Gros.

Dispatch 20. Encl. 6
June 20. 1858

Legation of the United States.
On board the Minnesota,
Gulf of Pichili, May 29. 1858

Monsieur le Baron,

I have had the honor to receive Your Excellency's letter of the 28th inst. inclosing to me a translation of a communication made to you by the Imperial Commissioners Tan, &c.; and your letter of this morning in which you inform me, that having received intelligence that the river is free, you intend without delay to go up, and make a new attempt at negociation with the authorities of Peking.

I beg in return to inform your Excellency that, in view of the prospect of negociations nearer the capital, in which the nations of the West are alike interested, I shall also proceed up the River, in order to continue that peaceful cooperation which my Government has instructed me to have with your Excellency and the other Plenipotentiaries in China.

I have the honor to be,
Monsieur le Baron
Your Excellency's obedient, humble Servant
William B. Reed

To H. E. M. le Baron Gros
&c &c

Dispatch 20. Encl 6
June 2. 1858

Mission Extraordinaire de France, en Chine.
à bord de l'Audacieuse,
le 29 Mai, 1858.

Monsieur le Ministre,

J'ai l'honneur d'annoncer à Votre Excellence que des communications qui me sont arrivées du haut de la rivière me font connaître qu'elle est libre, et je crois devoir alors sans perdre un instant la remonter, et chercher encore à faire une tentative de négociation auprès des autorités de Pékin.

Il m'empresse de faire savoir à Votre Excellence que je compte partir pour Takou vers 3 ou 4 heures après midi, et que dans la rivière je trouverai la canonnière la Dragonne, qui me conduira devant Sien-tsin, dès que la marée le permettra.

Veuillez agréer, Monsieur le Ministre, l'assurance de la haute considération avec laquelle

j'ai l'honneur d'être,
de Votre Excellence
le très humble et très obéissant serviteur.
Bon Gros.

A Son Excellence Monsieur W. B. Reed,
Envoyé Extraordinaire et Ministre Plenipotentiaire
des Etats Unis, en Chine, &c &c &c.

Dispatch 20. Ex. Ya
Leaves 2. 1858

Mission Extraordinaire de France en Chine,
Tientsin, 31 Mai. 1858.

Monsieur le Ministre,

J'ai l'honneur d'envoyer ci-joint à Votre Excellence une copie de la note que, de concert avec mon honorable collègue d'Angleterre, je me propose d'envoyer aujourd'hui même au Premier Ministre Yu, à Péking, par l'intermédiaire de Son Excellence Tan, Gouverneur Général du Tchéli

Je saisis cette occasion, Monsieur le Ministre, pour vous renouveler l'assurance de la haute considération avec laquelle j'ai l'honneur d'être,

de Votre Excellence,
le très humble et très
obéissant serviteur.
Bon Gros.

A Son Excellence Monsieur William B. Reed.
Envoyé Extraordinaire et Ministre Plenipotentiaire des
Etats Unis d'Amérique &c &c &c

Dispatch 20. Ep. 7e
June 2. 1858

(Copie.)

Le Baron Gros à Yu. Premier Ministre a Péking. 31 Mai.

Le soussigné, Vve s'empresse d'annoncer à S. Ex. Yu. Premier Ministre de l'Empereur à Péking qu'il est arrivé hier à Tientsin où il attendra pendant quelques jours encore que le Gouvernement Impériale veuille bien y envoyer des Plénipotentiaires d'un rang égal au sien et qui soient munis enfin des pouvoirs nécessaires pour traiter les questions pendantes entre les deux Empires, — questions que le Gouvernement Chinois connait depuis longtemps par les communications qui lui ont été faites par le soussigné.

Cette tentative est la dernière à laquelle le soussigné puisse donner un caractère de conciliation. — Si malheureusement elle n'aboutissait une autre marche serait suivie, car le Gouvernement de l'Empereur des Français est fermement résolu à obtenir enfin la justice qui lui est due, et il l'obtiendra.

Signé Baron Gros.

Pour Copie Conforme.

Bon Gros.

Dispatch 20. Exh 8a
June 2. 1858

Legation of the United States,
Off Tientsin, May 31. 1858.

Monsieur le Baron,

I have the honour to acknowledge the receipt of Your Excellency's note of this morning, inclosing to me the copy of a communication you propose, in conjunction with His Excellency Lord Elgin, to send to Peking.

I have concluded, after full conference with His Excellency the Russian Plenipotentiary, to address a communication to the Prime Minister and Supreme Council of State, of which I have the honour to forward a copy to Your Excellency.

I avail myself of the occasion to renew to you the assurances of my most distinguished consideration,—

And have the honour to be,

Monsieur le Baron,

Your Excellency's Obedient Servant.

William B. Reed.

His Excellency Baron Gros,

H. I. M. Ambassador and High Commissioner,

&c. &c. &c

Dispatch No. Enc. 8
June 2. 1858

The undersigned, Envoy Extraordinary and Minister Plenipotentiary of the United States informs His Excy Yu and the Supreme Council of State at Peking that he is now at Tientsin, ready to negotiate with a proper Plenipotentiary. Acting in peaceful concert with the Plenipotentiary of His Majesty the Emperor of Russia, he is approaching the capital in order to make his wishes known directly to the Imperial Councils. By disregarding the advice of the undersigned the evils of war have again fallen on China. He sincerely deplores them, but he can and will do nothing to arrest them unless the Counsellors of the Emperor do their duty of conciliation and concession to the reasonable demands of England and France.

To His Excellency Yu,
Prime Minister of His Majesty the Emperor of China.

May 31st. 1858.

Dispatch 20. Enc. 9a
June 2. 1858

Tientsin, May 31. 1858.

Sir,

I beg to acknowledge Your Excellency's letter of this date, covering the copy of a note to the dignitary Yu; and I have the honour at the same time to enclose the copy of a communication which I have this day addressed to the same functionary.

I have the honour to be,

Sir,

Your Excellency's

most obedient, humble servant

Elgin & Kincardine.

His Excellency

The Hon. W. B. Reed,

&c. &c. &c.

Despatch 20. Enc. 9
June 2. 1858

Copy of the Earl of Elgin's Note to Yu-ching; dated May 21. 1858.

The undersigned has the honour to apprize the Chief Secretary of State, Yu-ching, of his arrival at Tientsing. The undersigned trusts that the Imperial Government will at length have seen the expediency of despatching to meet him without delay, a Plenipotentiary duly qualified to discuss and terminate the various questions to the settlement of which the attention of the Imperial Government has been long directed by the undersigned.

The letter of the undersigned is proof of his sincere desire for a pacific solution of existing difficulties. Should it be slighted, as similar evidence of his sentiments has been, the Imperial Government must alone be responsible for the consequences of rejecting the overture made by the undersigned.

(Signed) Elgin & Kincardine.

Dispatch 20. Encl. 1
Lemm 2. 1858

Note au Haut Dignitaire Yu à Pekin.

Traduction du Russe.

Le Plénipotentiaire de Russie s'empresse d'annoncer au Haut Dignitaire Yu qu'il est arrivé à Tientsin. Il a été prévenu par le Gouverneur Général du Tcheli de la nomination de nouveaux hauts fonctionnaires pour négocier avec les Représentants des quatre Puissances, et il les attendra dans cette ville

Le Soussigné croit pouvoir espérer que les difficultés qui ont empêché les Plénipotentiaires de France et d'Angleterre d'entrer en négociations avec les Commissaires Chinois et qui ont été la cause des désastres à l'embouchure du Peiho, seront entièrement écartées par leur arrivée.

Le Plenipotentiaire de Russie saisit cette occasion, &c

Tientsin, 19/31 Mai. 1858

Pour traduction conforme à l'original
(Signé) Baron Osten-Sacken

END